

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**MICHAEL J. BYNUM and CANADA  
HOCKEY LLC d/b/a EPIC SPORTS,**

**Plaintiffs,**

**v.**

**BRAD MARQUARDT, JASON COOK,  
MATT CALLAWAY, MATT SIMON,  
and KRISTA SMITH,**

**Defendants.**

**No. 4:17-cv-00181**

**Hon. Andrew S. Hanen**

**JURY TRIAL DEMANDED**

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**PROPOSED SECOND AMENDED COMPLAINT**

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Pursuant to Federal Rule of Civil Procedure 15(a)(2) & (c), Plaintiffs Michael J. Bynum (“Bynum”) and Canada Hockey LLC doing business as Epic Sports (“Epic Sports”) (collectively “Plaintiffs”), bring this second amended complaint against Brad Marquardt, Jason Cook, Matt Callaway, Matt Simon, and Krista Smith, all in their individual capacities (collectively, “Defendants”). In support thereof, Plaintiffs allege the following.

**INTRODUCTION**

1. Like any other unlawful activity, a copyright infringement can be carried out by just one wrongdoer who commits every act necessary to violate the law or instead by several actors whose conduct combined amounts to a violation of the same character. Here, by way of a chain of copying, distributing, and infringing of Plaintiffs’ copyrighted work, Defendants Brad Marquardt, Jason Cook, Matt Callaway, Matt Simon, and Krista Smith conspired and combined to violate Plaintiffs’

rights under the Copyright Act of 1976 and the Digital Millennium Copyright Act.

2. The copyrighted work at issue is a biography of E. King Gill, the individual known as the “12th Man” in Texas A&M University lore (the “Gill Biography”). Plaintiffs possess the exclusive right to copy, distribute, and publish the Gill Biography. In their zeal to establish that Texas A&M’s 12th Man was the true 12th Man, Defendants conspired and combined to knowingly, and with reckless indifference, violate Plaintiffs’ protected rights in the Gill Biography.

3. As alleged in more detail in the remaining paragraphs of this second amended complaint, the chain of infringement with respect to the Gill Biography was carried out thusly:

- a. In or around January 2014, Defendant Marquardt possessed the copyrighted Gill Biography in *both* hard copy *and* digital format, complete with clear and obvious copyright management information (“CMI”);
- b. Defendant Marquardt directed his secretary to key-in the Gill Biography to a digital format and then personally distributed that digital copy, which omitted the name of the author along with the rest of the CMI, to Defendant Callaway, who, along with the other Defendants, was implementing the Texas A&M Athletic Department’s plan to promote the 12th Man tradition;
- c. Defendant Callaway then edited that infringing copy of the Gill Biography and upon information and belief changed the title of the work and added back the name of the author but did not add back any of the previously deleted CMI;
- d. Defendant Callaway then passed that further altered and infringing copy of the Gill Biography to Defendant Simon;
- e. Defendant Simon then added the by-line, “Special to Texas A&M Athletics” next to the author’s name, a by-line that had never appeared on the Gill Biography until that moment;
- f. Defendant Cook then made the final decision to post the altered and infringing copy of the Gill Biography on the Texas A&M Athletic Department website, and Defendant Simon actually posted the altered and infringing copy of the Gill Biography to the Texas A&M Athletic Department website;
- g. Defendant Callaway then sent a Tweet from the @AggieFootball Twitter account (which at the time had approximately 145,000 followers) that contained a link to the

altered and infringing copy of the Gill Biography that had been posted on the Athletic Department website;

- j. In accordance with Defendant Smith's plan that had been laid out days earlier, upon information and belief, Defendants working together caused the @TAMU Twitter account (which at the time had approximately 160,000 followers) to send out a Tweet that contained a link to the altered and infringing copy of the Gill Biography that had been posted on the Athletic Department website;
  - h. Defendants, upon information and belief, working together caused a news release to be issued, and pushed out through media wires, in the name of the "Texas A&M University, The State of Texas" that contained an altered and infringing copy of the Gill Biography; and
  - i. Defendant Smith then included a headline about the altered and infringing copy of the Gill Biography along with a link to the same in the Texas A&M online e-magazine, *TAMU Times*, which she sent to approximately 70,000 "campus community members" and posted on the *TAMU Times* website.
4. And that, in a nutshell, is how the Gill Biography, a 1998 article written by Whit Canning and copyrighted by Plaintiffs, ended up on the Internet.
5. Importantly, Plaintiffs learned of the involvement of Defendants Callaway, Simon, Cook, and Smith only by way of (a) interrogatory answers from Defendant Marquardt that were served on August 23, 2021, and documents produced pursuant to Defendant Marquardt's responses that were served on the same date; (b) document productions from Texas A&M that were made in late 2021 and early 2022; and (c) Defendant Marquardt's Amended Answer that was filed on October 26, 2022. Defendant Marquardt and Texas A&M were in full control of this information, and Plaintiffs had no way of accessing it before the referenced dates of disclosure. Therefore, under the doctrine of equitable tolling, all claims against Defendants Callaway, Simon, Cook, and Smith are brought within the three-year statute of limitations.
6. Plaintiffs thus bring these claims pursuant to 17 U.S.C. §§ 504 & 1203.

## **PARTIES**

7. Plaintiff Bynum is an individual residing in Birmingham, Alabama. Bynum is the copyright owner of the Gill Biography at issue in the instant action. He is also an author of, and the editor and copyright owner of, the unpublished *12th Man* book. The Gill Biography serves as an opening chapter of the *12th Man* book.

8. Plaintiff Canada Hockey LLC is a Delaware limited liability corporation with its principal place of business in Birmingham, Alabama. Canada Hockey LLC is in the business of publishing books under the Epic Sports imprint. Bynum is the sole shareholder and President of Canada Hockey LLC. Pursuant to a publishing agreement with Bynum, Canada Hockey LLC owns the exclusive rights to publish the *12th Man* book, including the Gill Biography, in hardcover, softcover, and e-book formats.

9. On information and belief, Defendant Marquardt is an individual residing in College Station, within this District. Marquardt currently is the Associate Director of Media Relations for the Texas A&M Athletic Department. In 2014, at the time of the infringement, he worked as an “Information Rep II,” reporting to Alan Cannon, Associate Athletics Director/Media Relations.

10. Defendant Cook, a Texas resident, is currently the Vice President for Marketing and Communications for Baylor University, but in 2014, at the time of the infringement, he was the Senior Associate Athletic Director for Texas A&M’s Athletic Department in College Station. At the time, Defendant Cook was responsible for the 34+ person media relations department within the Athletic Department.

11. Defendant Callaway, a Texas resident, is currently the Assistant Director of Development for the Texas A&M Foundation, but in 2014, at the time of the infringement, he was an



“Information Rep II” within the Athletics Department, in College Station. He too reported to Alan Cannon.

12. Defendant Simon, a Texas resident, is currently the Digital Strategy Manager for 12th Man Productions with the Texas A&M Athletics Department. In 2014, at the time of the infringement, he was the website manager for the Athletics Department, in College Station.

13. Defendant Smith, a Texas resident, is upon information and belief the Communications Coordinator within Texas A&M University’s Communications and Marketing Division and was in 2014 in the same role, in College Station.

14. At all relevant times, Defendants acted objectively unreasonably in light of clearly established copyright law.

#### **JURISDICTION AND VENUE**

15. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331, 1332(a) and 1338(a).

16. This Court has personal jurisdiction over Defendants Marquardt, Cook, Callaway, Simon, and Smith because, upon information and belief, each of them resides either within this District or carried out acts within this District giving rise to the claims alleged herein.

17. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b) & (c) and 1400(a), because a substantial part of the events giving rise to Plaintiffs’ claims alleged herein occurred in this District and because all Defendants are subject to personal jurisdiction in this District.

## **FACTS**

### **I. PLAINTIFFS' PUBLISHING BACKGROUND AND EFFORTS REGARDING THE *12TH MAN* BOOK**

#### **A. Plaintiffs' Longstanding and Successful Sports Publishing Business**

18. Bynum is a widely-published author and editor of sports history and memorabilia books covering a range of sports including football, ice hockey, basketball, baseball, rugby, netball, and soccer. His experience in publishing sports books began in the 1970s, when he served as a student manager for the University of Alabama's football team under Coach Paul "Bear" Bryant. Bynum's first book, *High Tide*, a profile of the 1977 Alabama team, and their journey to win the national championship, was published in 1978. After writing two more books over the next two years, he worked as a researcher for NBC TV's *Bear Bryant: Countdown to 315*, which Joe Namath narrated.

19. Since then, Bynum has written, edited, and published approximately 125 other books, including books on well-known figures, teams, and games in football. For example, in 1980, Bynum published his first book on Texas A&M's football program, *Aggie Pride: A Story of Class and Courage*. He has also edited or published books on the University of Texas-Texas A&M rivalry, a centennial history of Texas Christian University's football program, biographies of Texas football heroes such as Doak Walker, Sammy Baugh, John David Crow, and Darrell Royal, and a coffee table book on Texas high school football titled *King Football*.

20. Bynum's sports history and memorabilia books have been well-received, generating strong sales. Several of his books on ice hockey, including books about the Toronto Maple Leafs, the Detroit Red Wings, the Montreal Canadiens, and Canadian hockey history, have sold more than 50,000 copies each. Bynum's books on the Michigan Wolverines, Tennessee Volunteers, Iowa

Hawkeyes, and Ohio State Buckeyes football teams similarly sold over 50,000 copies each. His books on Texas football have likewise sold extremely well. *King Football* sold approximately 25,000 copies in various editions, and his book on the Aggie-Longhorn football rivalry sold approximately 20,000 copies.

21. Bynum's role in the creation of his books is often as a researcher and editor. Bynum begins his book development process by conducting extensive research, including interviewing friends and family of the individuals to be profiled, and reviewing original documents such as photographs, letters, and diaries. He regularly employs writers on a work-made-for-hire basis to use his original research to write specific pieces for inclusion in his books. At times, he purchases the rights to reprint previously published content.

22. Major publishing houses have published books edited by Bynum. Canada Hockey LLC, Bynum's own publishing company, has also published several of his books under the imprint Epic Sports.

**B. The 12th Man Book on E. King Gill**

23. While working on *Aggie Pride*, his first book on the Texas A&M football program, and while interviewing Texas A&M officials for his biography of Paul "Bear" Bryant, Bynum was drawn to the lore of the "12th Man," a tradition in which Texas A&M students, or "Aggies," stand together during football games. The now famous 12th Man tradition was inspired by the actions of E. King Gill at the 1922 football game known as the "Dixie Classic."

24. Gill's commitment to step up for his team when in need later became a legend that was passed down from generation to generation of Aggies. Today, the 12th Man tradition is a symbol of the Aggies' unity, loyalty, and willingness to serve when called upon to do so. The tradition is

woven into many aspects of life at Texas A&M. In 1988, Texas A&M erected new signage above the student section of its football stadium, Kyle Field, declaring it as the “Home of the 12th Man.” In 1990, Texas A&M registered the trademark 12TH MAN with the U.S. Patent and Trademark Office. Since then, it has aggressively enforced the 12TH MAN trademark. On Texas A&M’s website at [www.12thman.tamu.edu](http://www.12thman.tamu.edu), the University boasts that it has fought over 580 “trademark infringement issues.” This includes trademark infringement lawsuits against the Seattle Seahawks and the Indianapolis Colts of the NFL, both of which refer to their fans as the “12th Man.”

25. Bynum recognized, however, prior to 2014, that Texas A&M’s official history of Gill, the “original 12th Man,” was lacking because it essentially reduced Gill’s lifetime of commitment to Texas A&M and service to his community to his actions at a single football game. Bynum wanted to flesh out Gill’s *entire* story, and began developing a book that would separate the individual behind the Aggie tradition from the legend as well as present a modern-day look at Gill’s lasting impact on Texas A&M football. This book would eventually become Bynum’s *12th Man* book. Bynum conducted substantial background research on Gill, including visits to Gill’s hometown of Dallas, and to Corpus Christi, where Dr. Gill practiced medicine, and to Texas libraries and archives.

26. In 1997, Bynum hired Whit Canning, a well-known sportswriter for the Fort Worth Star-Telegram, on a work-made-for-hire basis to use Bynum’s research and write a biography of Gill, which Bynum planned to include in his *12th Man* book.

27. In 1997, Bynum and Canning entered into a work-for-hire agreement confirming Bynum’s ownership of the copyrights. Although Bynum and Canning later could not locate that 1997 agreement, Bynum and Canning executed two confirmations of that agreement in February 2014

and in December 2020. True and correct copies of those two agreements executed by Bynum and Canning are attached hereto as Exhibits A and B. Canning died in 2022.

28. Canning, who had earlier written biographies on Doak Walker and Sammy Baugh for Bynum, supplemented Bynum's research with his own investigative efforts and delivered to Bynum the Gill Biography, titled "An A&M Legend Comes to Life," as well as a game story account of the 1922 Dixie Classic and the 1922 Texas-Texas A&M game.

29. Over the next decade, Bynum continued to research Gill for his *12th Man* book as well as other individuals, teams, and games in Texas football history for other sports books he was working on. In 2000 and 2001, Bynum made multiple trips to Texas, including visits to Gill's high school in Dallas and to Texas A&M. During those visits, Bynum met with Athletic Department personnel, including Defendant Marquardt.

30. Bynum devoted over 1,500 hours to conducting research for, and writing and editing, the *12th Man* book. During this process, Bynum asked his friend and confidante, Jerry Cooper, to proofread his drafts. By 2006, Bynum was close to completing the draft of the *12th Man* book. The draft included the Gill Biography in its entirety, except for the last two sentences, which were inadvertently excluded during the layout design process. Bynum asked Cooper, who was the longtime editor of the magazine for the Association of Former Students of Texas A&M University, to approach executives of that Association, as well as an organization known as the Texas A&M Foundation, to inquire whether those groups might be interested in purchasing copies of the *12th Man* book once it was published to distribute as gifts to their members. Miles Marks, then the head of the Foundation, and Rusty Burson, then the Editor of the Foundation's magazine, asked Cooper for a draft of the *12th Man* book to review in anticipation of their meeting, which Cooper provided.

In or around November 2006, Cooper also met with Marks and Burson in person, and showed them a draft of Bynum's *12th Man* book. It was Bynum's understanding that neither organization decided to move forward with purchasing commitments for the *12th Man* book.

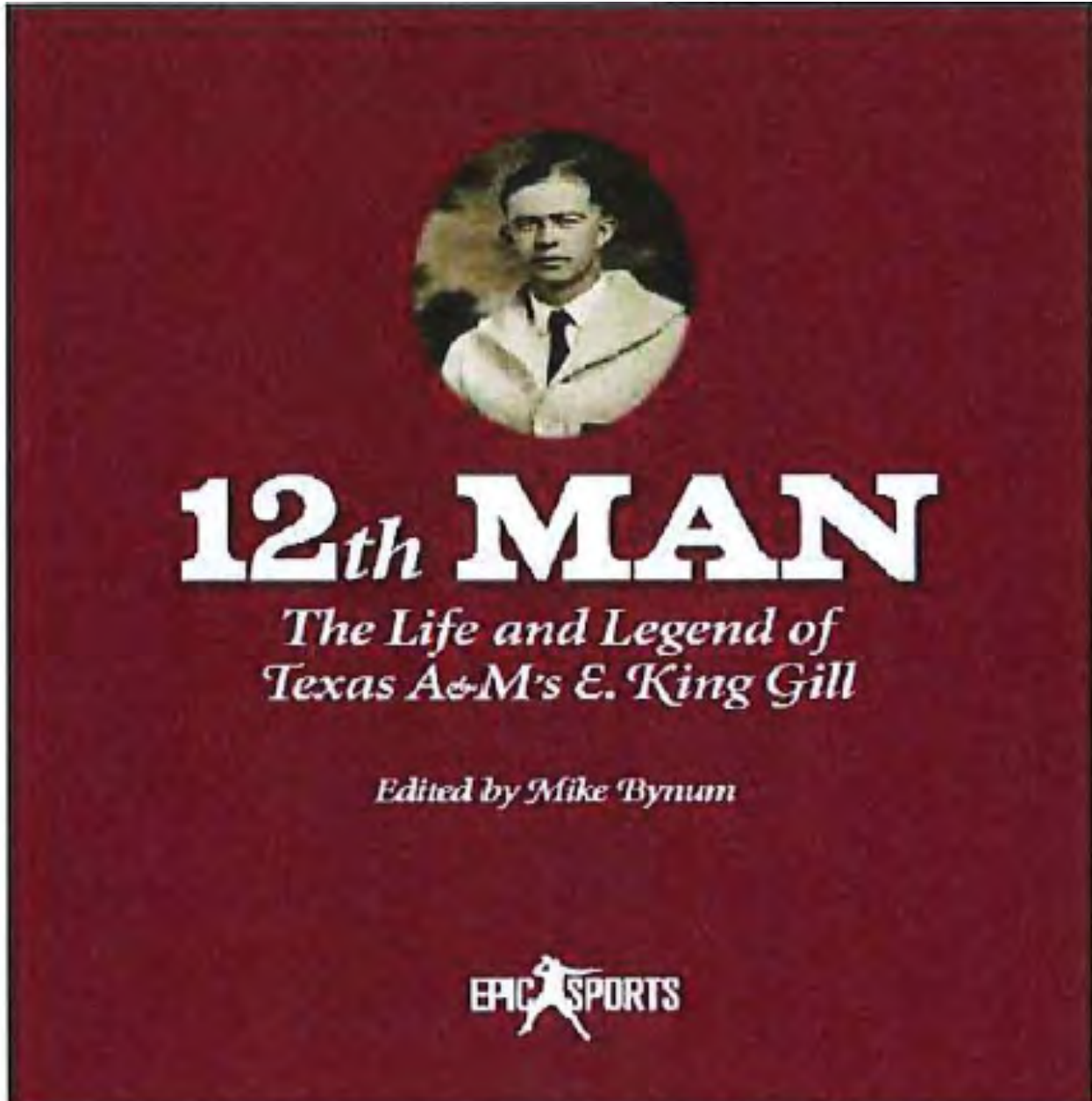
31. Between his other projects, Bynum continued to revise the contents and layout of his *12th Man* book through mid-2010, when he decided he would tighten the book's design and get it ready for publication in the near future. The text of the Gill Biography remained unchanged but included the final two sentences that were inadvertently omitted from the earlier draft of the *12th Man* book he provided to Cooper in 2006.

## **II. DEFENDANT MARQUARDT'S ACQUISITIONS OF THE COPYRIGHTED WORK**

32. On June 18, 2010, Bynum emailed Defendant Marquardt to ask for help with locating additional photographs for use in his *12th Man* book. Bynum attached to this email the 2010 draft of the *12th Man* book in PDF format for Defendant Marquardt's review. True and correct copies of the email to Defendant Marquardt and its attachment are attached hereto as Exhibits C and D. A similar draft version of the June 18, 2010, version of the *12th Man* book was also emailed to Defendant Marquardt on May 6, 2010, to review.

33. As shown in the June 18, 2010, email to Defendant Marquardt, Bynum granted Marquardt and Johnson access to the 2010 draft of his *12th Man* book for their "review" only. Bynum clearly explained in his email that the attachment was "a *draft version* of the 12th Man Book on E. King Gill and Texas A&M football." He also explicitly stated: "Please note that this is a *work in progress and is not in final form yet.*" Further, he noted that the photo credits in the draft had not been updated yet.

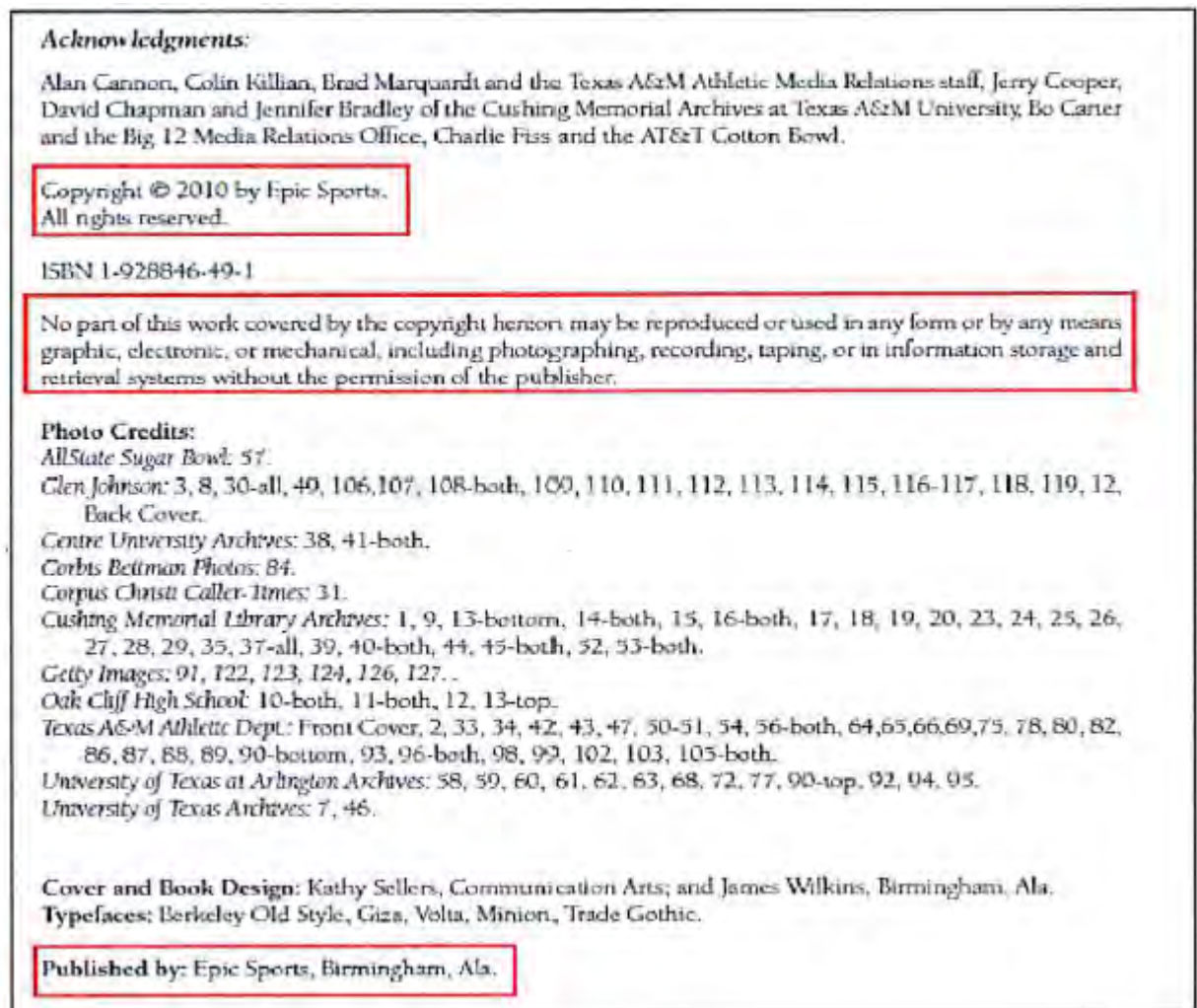
34. As shown below and in PDF attachment, the cover of the 2010 draft of the *12th Man* book indicated that the book was “Edited by Mike Bynum” and included the logo of Epic Sports, Bynum’s publishing imprint:



35. As shown in the excerpt below, page 6 of the 2010 draft included a clear copyright notice



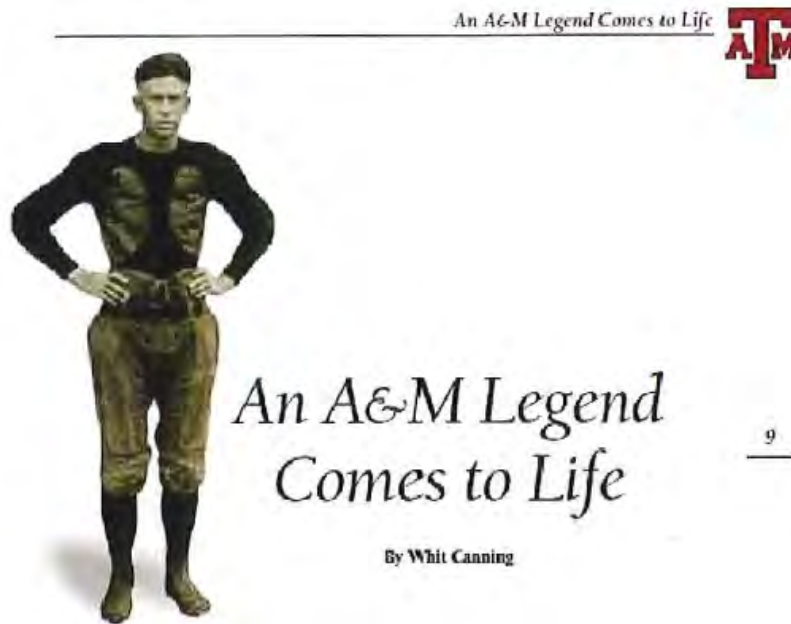
indicating that Bynum's publishing imprint, Epic Sports, owned the copyright to the *12th Man* book and that no part of the book may be reproduced or used in any form or by any means without the permission of the publisher, i.e., Epic Sports:



36. The first page of the Gill Biography appeared on page 9 of the 2010 draft. As shown in the excerpt below, this page included the title of the Gill Biography, “An A&M Legend Comes to Life,” and an author byline to Canning, who, as noted, authored the chapter on a work-made-for-hire basis for Bynum, and who, because of his longtime work as sportswriter for the Fort Worth

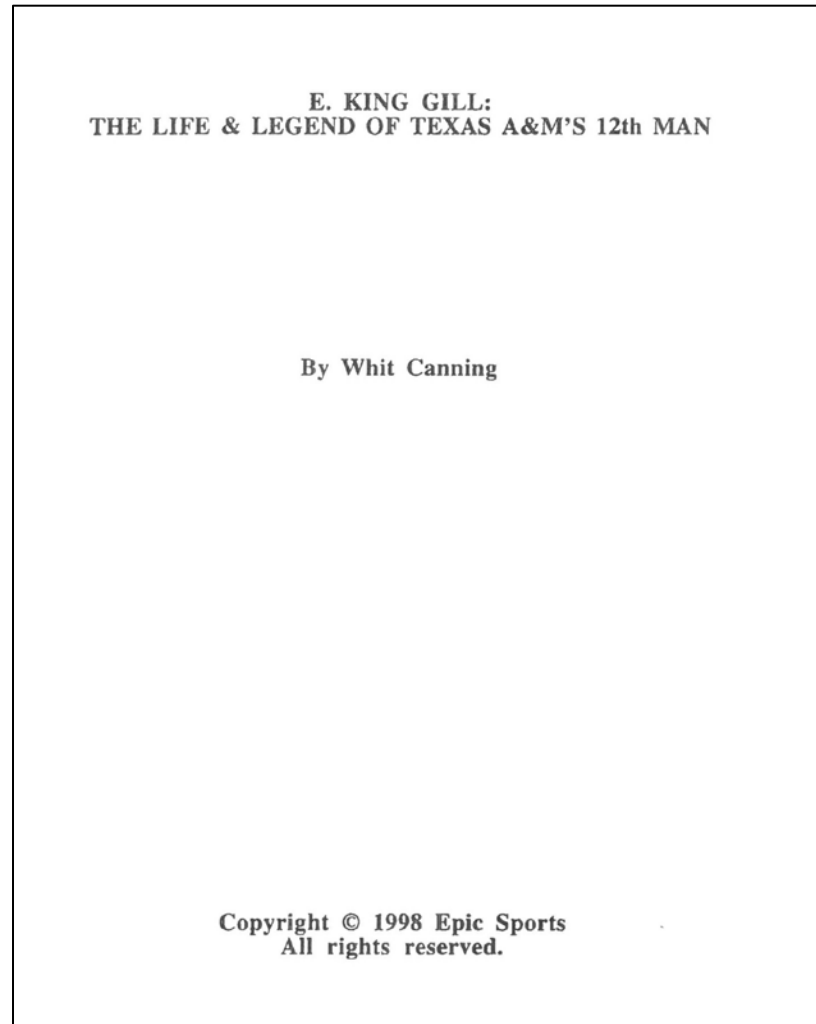


Star-Telegram, was well known to the University and the A&M Athletic Department, as well as Alan Cannon and Defendant Marquardt:



37. Additionally, a hard copy of the Gill Biography, separate from the PDF version of the draft *12th Man* book, had earlier been provided to Defendant Marquardt. This was provided in addition to the PDF versions of the book that Bynum emailed to Defendant Marquardt. A copy of this hard copy version of the Gill Biography, as produced by Defendant Marquardt, is attached hereto as Exhibit E.

38. As reflected by the excerpt below, this version of the same work also contained the fundamental copyright information that went along with the Gill Biography:



39. Due to intervening work on soccer/football books in Great Britain between 2010 and 2013, Bynum delayed publication of the *12th Man* book. In late 2013, Bynum planned to publish the *12th Man* book in the fall of 2014 to coincide with the 75th anniversary of Texas A&M's 1939 championship season and the 1939 radio show in College Station that made public for the first time the story of Gill as the 12th Man. Bynum also noted that the Athletic Department's recent membership to the Southeastern Conference (the "SEC") in 2012 had elevated the Athletic Department's football program to a bigger stage. In preparation for publication, Bynum, in November 2013, executed a publishing agreement with Canada Hockey LLC, providing it the

exclusive publishing rights for hardcover, softcover, and e-book versions of the *12th Man* book. A true and correct copy of the publishing agreement is attached hereto as Exhibit F.

40. While finalizing his draft of the *12th Man* book, Bynum emailed Defendant Marquardt as late as December 28, 2013, to ask a question about a former Texas A&M football coach. Defendant Marquardt replied on December 29, 2013, stating that he did not know the answer.

41. Suffice it to say, the Gill Biography is critical to Bynum's *12th Man* book.

### III. DEFENDANTS' UNLAWFUL COPYING AND DISTRIBUTING OF THE GILL BIOGRAPHY

42. In mid-January 2014, during the NFL playoffs, Defendants launched a campaign to promote Texas A&M's ongoing claim that it is the true owner of the "12th Man," not the Seattle Seahawks, who had qualified for the 2014 NFL playoffs and whose fan base calls itself the "12th Man." For example, on January 11, 2014, a day after the Seattle Seahawks won a playoff game, the Athletic Department posted an image of a statue of E. King Gill and the following message on its Twitter account @AggieFootball:



43. At the time, the Athletic Department's @AggieFootball Twitter account had approximately 145,000 followers. Its campaign asserting its status as the "real" 12th Man soon

became national news.

44. Upon information and belief, Defendants created and implemented a strategic plan to show that Texas A&M is the true owner of the 12th Man that included providing little known information about the individual that inspired the 12th Man tradition, E. King Gill.

**A. Defendant Marquardt Sets Off a Chain Reaction of Copyright Violations Committed by Defendants**

45. Upon information and belief, Bynum's correspondence with Defendant Marquardt in late December 2013 reminded Defendant Marquardt that he had a copy — actually, multiple copies — of Bynum's copyrighted work regarding the *12th Man*. Upon information and belief, Defendant Marquardt at or around that time realized that he could take, copy, and distribute the Gill Biography in furtherance of the effort to promote the 12th Man tradition.

46. Indeed, in January 2014, Defendant Marquardt identified one of his copies of the Gill Biography and asked his secretary, Jackie Thornton, to copy the article “into a Word document so that he would have it readily available in the event he was asked for information about the 12th Man.” [Doc. 251, Defendant Marquardt's Amended Answer, ¶ 3.] The only reason to copy a copyrighted work into a Word document under these circumstances was to be able to copy, display, and publish it in violation of the copyright holder's rights.

47. Ms. Thornton did as she was directed to do and provided the copy of the Gill Biography to Defendant Marquardt via email on Tuesday, January 14, 2014. The copy that Defendant Marquardt then possessed did not contain Canning's name, Bynum's name, Epic Sports' name, or any of the CMI that was contained on both the PDF and hard copy versions of the Gill Biography that Defendant Marquardt also possessed. This altered and infringing copy of the Gill Biography, as produced by Ms. Thornton for Defendant Marquardt, is attached hereto as Exhibit G. This

document was produced for the first time pursuant to Defendant Marquardt's responses to Plaintiffs' requests for production, which responses were served on August 23, 2021.

48. Later that same week, Defendant Callaway, who also worked in the Athletic Department, asked Defendant Marquardt for information about the 12th Man. Given the Athletics Department's drive to promote the 12th Man tradition, it was obvious to anyone in Defendant Marquardt's position that Defendant Callaway sought material to be distributed publicly. In fact, as Defendant Marquardt acknowledged for the first time in his Amended Answer, "[a]t the time two departments at A&M, the Communications & Marketing Division and the Athletic Department, were working on a social media campaign for the University. The goal was to reinforce A&M's trademark of the term '12th Man' and educate the public about A&M's 12th Man tradition. As part of that campaign, the Communications & Marketing Division and the Athletic Department planned to post comments about A&M's 12th Man tradition on Twitter during a Seattle Seahawks' NFL football game on Sunday, January 19, 2014." [Doc. 251, Defendant Marquardt's Amended Answer, ¶ 7.]

49. Defendant Marquardt, who had in his possession everything necessary for him to know who owned the copyright to the Gill Biography, then distributed the altered and infringing Gill Biography, wiped of the CMI and wiped even of Canning's name, by email to Defendant Callaway at approximately 1:53 PM on January 17, 2014. A true and correct copy of the email from Defendant Marquardt to Defendant Callaway is attached hereto as Exhibit H. This email and the information contained therein was produced for the first time pursuant to Defendant Marquardt's responses to Plaintiffs' requests for production, which responses were served on August 23, 2021.

50. Defendant Marquardt knew or should have known that he was distributing a copyrighted

work that had been wiped of CMI and that he was distributing an altered and infringing copy of a copyrighted work for further publication in accordance with the Athletic Department's social media campaign, all without any authorization from the copyright owner.

51. In fact, in his interrogatory answers served on August 23, 2021, Marquardt confirmed under oath for the first time that he "was aware that Matt Callaway, a colleague in the media relations department, was interested in using the [Gill Biography] as part of an effort to highlight and celebrate A&M's 12th man tradition." A true and correct copy of the interrogatory answers are attached hereto as Exhibit P.

52. Overall, Defendant Marquardt knew or obviously should have known that he would cause a widespread distribution of a copyrighted work without authorization from the copyright owner.

**B. Defendants Conspire and Combine to Blast the Altered and Infringing Gill Biography Into the Internet and Thereby Violate Plaintiffs' Copyright Protections**

53. As stated for the first time in Defendant Marquardt's Amended Answer, Defendant Cook, then "the Senior Associate Athletic Director, headed up the social media plan within the Athletic Department. (Cook was responsible for the 34+ person media relations department.) Mr. Cook asked two employees, [Defendant] Callaway and [Defendant] Simon, to implement the Athletic Department's contribution to the social media campaign. [Defendant] Callaway worked as an 'Information Rep II' and reported to Alan Cannon. Alan Cannon in turn reported to [Defendant] Cook. [Defendant] Simon was the website manager for the Athletic Department, and he reported directly to [Defendant] Cook." [Doc. 251, Defendant Marquardt's Amended Answer, ¶ 8.]

54. Additionally, Defendant Smith, the Communications Coordinator for the Division of Marketing & Communications, emailed Defendant Cook at approximately 5:04 PM on January 17,

2014, to inform him about the “#12thMan social media plan” that Defendant Callaway and Defendant Smith “ha[d] been working on.” Defendant Smith included in this email a plan to Tweet a “photo of E. King Gill and link to story posted on aggieathletics.com.” A copy of this email, as produced by Texas A&M, is attached hereto as Exhibit J. This email and the information contained therein was produced for the first time pursuant to Texas A&M’s non-party subpoena production on December 2, 2021.

55. Accordingly, the very same afternoon that Defendant Marquardt had distributed the altered and infringing copy of the Gill Biography to Defendant Callaway, Defendants Callaway, Smith, and Cook were communicating about using that altered and infringing copy of the Gill Biography to execute their self-serving plan to promote Texas A&M’s 12th Man tradition.

56. “Like [Defendant] Callaway, [Defendant] Marquardt’s job title was also Information Rep II, and he reported to Alan Cannon. On the Friday afternoon before the Seahawks’ game, [Defendant Marquardt] simply sent the information he had recently uncovered on the 12th Man [i.e., the copyright-infringing and unlawful altered copy of the Gill Biography] to [Defendant] Callaway. Documents show that [Defendant] Callaway had planned on editing and then posting the 1998 article on the Athletic Department website that weekend, and that [Defendant] Cook had approved of this plan. Working up to the last minute, [Defendant] Callaway sent the edited article to [Defendant] Simon to post on the website on Sunday afternoon, shortly before the Seahawks game was to begin. [Defendant] Simon, on his own initiative, changed the headline and added a subhead and the by-line with the phrase ‘Special to Texas A&M Athletics.’ [Doc. 251, Defendant Marquardt’s Amended Answer, ¶ 9.] This information was first disclosed in Defendant Marquardt’ Amended Answer.

57. Importantly, the altered and infringing copy of the Gill Biography that Defendant Marquardt received from his secretary and then distributed to Defendant Callaway did not have Canning's name on it, but the ultimate version of the Gill Biography that was posted on the Texas A&M website and distributed through the *TAMU Times* listserv included the notation, "by Whit Canning, Special to Texas A&M Athletics." In journalism, the phrase "special to" is commonly used to indicate that a piece was written exclusively for a newspaper, magazine, or other publication by a correspondent or freelancer who is paid for their story by the publisher. In this case, Defendants therefore misleadingly and falsely named Texas A&M as the publisher of this pirated story and the copyright owner of this pirated story.

58. In addition, the infringing article displayed on Texas A&M's Athletic Department Website appeared under a different title: "The Original 12th Man." A copy of this published altered and infringing copy of the Gill Biography is attached hereto as Exhibit I. Upon information and belief, Defendants Marquardt, Cook, Callaway, and Simon conspired and combined to alter the title of the Gill Biography.

59. Upon information and belief, given that Defendant Marquardt had emailed the altered and infringing copy of the Gill Biography to Defendant Callaway on January 17, 2014, prior to their publication of the Gill Biography, Defendants Marquardt, Cook, Callaway, and Simon conspired and combined to extract certain information from either the 2010 PDF version or the 1998 hard copy draft of the Gill Biography — namely, Whit Canning's name. The only place that Defendants Marquardt (who initially distributed the altered and infringing copy of the Gill Biography knowing that Defendant Callaway would cause it to be published in accordance with their social media campaign), Cook (who made the final decision to publish to publish the altered and infringing copy



of the Gill Biography on the Texas A&M website), Callaway (who edited and distributed the altered and infringing copy of the Gill Biography), and Simon (who actually posted the altered and infringing copy of the Gill Biography) could have found that information was on the original PDF or the hard copy draft themselves. Those documents clearly contained the author's name, the copyright notice, and generally the CMI for Plaintiffs' protected work. In fact, as confirmed for the first time in Defendant Marquardt's interrogatory answers on August 23, 2021, "[o]ther information on the cover sheet [of the Gill Biography] – the author and date – were *obviously communicated to the individuals involved in posting of the Canning Article on the website* (including Matt Callaway and webmaster Matt Simon)." [Exhibit P, Answer No. 20.] The fact that this information was obviously communicated also obviously establishes the intentional conspiracy among Defendants to alter CMI and distribute the altered and infringing copy of the Gill Biography in violation of copyright law.

60. The final decision to post the altered and infringing copy of the Gill Biography on the Athletic Department website was made by Defendant Cook, and "[Defendant] Simon posted the article on the Athletic Department website within minutes of the start of the Seahawks' game [on January 19, 2014]." [Doc. 251, Defendant Marquardt's Amended Answer, ¶ 9.] This information was disclosed for the first time in Defendant Marquardt's Amended Answer.

61. "Then [Defendant] Callaway, as set out in his weekend social media plan, sent out messages during the game through the Twitter account @AggieFootball. One of those tweets contained a link to the 1998 article that had been posted on the Athletics Department website." [Doc. 251, Defendant Marquardt's Amended Answer, ¶ 9.] This was consistent with the plan set forth by Defendant Smith in her January 17, 2014, email to Defendant Cook. This information was

disclosed for the first time in Defendant Marquardt's Amended Answer.

62. In fact, on January 19, 2014, in the hours leading up to the NFL's National Football Conference Championship game between the Seattle Seahawks and the San Francisco 49ers, in an attempt to diminish the association between the Seattle Seahawks and "12th Man," Defendant Callaway used the altered and infringing copy of the Gill Biography to remind Seahawks fans that Gill was Texas A&M's original 12th Man on its official Twitter account @AggieAthletics. The since-deleted tweet read:

Since 1922 the #12thMan has made Aggieland his home  
<http://t.co/bMWZVSiAjE> [pic.twitter.com/E2vdbwXig7](http://pic.twitter.com/E2vdbwXig7)

—Texas A&M Football (@AggieFootball) January 19, 2014

63. This promotional tweet, which was sent to approximately 145,000 followers, contained a shortened URL that linked to the page on Texas A&M's Athletic Department Website displaying the altered and infringing copy of the Gill Biography, providing access to the infringing article to anyone viewing the Texas A&M Athletic Department's Twitter page. Thousands of fans retweeted the post.

64. Less than an hour later, the University also promoted the infringing article to its approximately 160,000 Twitter followers through its official Twitter account, @TAMU:



Twitter users also retweeted this tweet to their followers. This aspect of the promotional efforts was part of the specific and detailed social media campaign plan that Defendant Smith had circulated on January 17, 2014, just hours after Defendant Marquardt initially circulated the altered and infringing copy of the Gill Biography.

65. Defendants' vociferous efforts to drive the conversation surrounding the #12th Man hashtag on Twitter to Texas A&M received wide attention. As an example, sports blogger Graham Watson picked up the story and wrote about it for Yahoo Sports. She included the aforementioned @AggieFootball Tweet from Defendant Callaway in her post, furthering distributing the altered and infringing copy of the Gill Biography. This was all part of Defendants' social media plan to have the Gill Biography distributed as widely and as frequently as possible, as reflected by Defendant Smith's email contained in Exhibit J. The Watson post is attached hereto as Exhibit R.

66. Defendant Simon and Defendant Callaway "were both working directly for [Defendant] Cook on the project." [Doc. 251, Defendant Marquardt's Amended Answer, ¶ 9.]

67. Upon information and belief, one or more Defendants then caused a “news release” to be published to an unknown number of recipients on January 20, 2014. A copy of this News Release is attached hereto as Exhibit O. Upon information and belief, given the manner in which and the means by which the altered and infringing copy of the Gill Biography made its way onto the Internet via the Athletic Department website, Twitter, and the *TAMU Times*, i.e., as a direct and proximate result of the actions of Defendants, the only individuals responsible for the News Release are Defendants.

68. Bynum first saw the News Release in October 2020. No one at Texas A&M, let alone Defendants Marquardt, Callaway, Cook, Simon, or Smith, ever informed Plaintiffs that the News Release had been pushed out. The only way that Bynum was able to discover the News Release was by way of a search on LexisNexis, which resulted in the download of Exhibit O on October 12, 2020.

69. The News Release did not include Canning’s name, or any of the other copyright information or CMI regarding the Gill Biography. The News Release is not an exact copy of the altered and infringing article that was posted on the Athletic Department website. Significantly, the News Release opens with the following language: “Texas A&M University, The State of Texas has issued the following news release.” Additionally, the News Release does *not* contain the final sentence from the original Gill Biography: “As we reach into the future, it is well that we remember the past.”

70. In light of the information that has been discovered, including the facts that Defendants Marquardt, Simon, Callaway, Cook, and Smith were integrally involved in copying, displaying, and distributing altered and infringing copies of the Gill Biography, the only persons who could have

been responsible for pushing out the News Release are Defendants Marquardt, Callaway, Simon, Cook, and Smith. Because they orchestrated all the other infringements of the Gill Biography, the only logical conclusion is that they too are responsible for this News Release, which came to light only in October 2020.

71. On January 21, 2014, the conspiracy to infringe on Plaintiffs' copyright grew. "A&M's Communications & Marketing Division decided to feature the 1998 article in the University's online e-magazine, the *TAMU Times*. [Defendant Smith, Communications Coordinator,] wrote a headline with a photo and link to the 1998 article that Matt Callaway and Matt Simon had posted on the Athletic Department website. ([Defendant] Smith had also been working with [Defendant] Callaway on the social media campaign during the Seahawks' game.)" [Doc. 251, Defendant Marquardt's Amended Answer, ¶ 11.] "[Defendant] Smith included the headline and link in the *TAMU Times*, which was posted on Tuesday, January 21, 2014." [*Id.*] This information was first disclosed in Defendant Marquardt's Amended Answer.

72. Upon information and belief, Defendant Smith promoted the infringing article further not only by featuring it at the top of the January 21, 2014, edition of the *TAMU Times* e-magazine but also on the front page of the *TAMU Times* website on the same day. Upon information and belief, with material assistance and contributions from Defendants Marquardt, Callaway, Simon, and Cook, all of whom knew or should have known that their acts would result in further infringements, Defendant Smith caused the *TAMU Times* e-magazine to be sent to approximately 70,000 times — i.e., to approximately 70,000 subscribers primarily consisting of TAMU students, alumni, faculty, staff, and donors. The *TAMU Times* e-magazine and website displayed a preview of the infringing article, which stated: "E. King Gill never led Texas A&M to a national championship,

but because of one simple act in Dallas in 1922, he became the most revered Aggie of them all; the 12th Man. (more...).” What is more, the e-magazine itself contained the notation “COPYRIGHT 2014, TEXAS A&M UNIVERSITY” underneath the link to the altered and infringing copy of the Gill Biography.

73. This act of placing Texas A&M’s copyright next to the Gill Biography was egregious. Under no circumstances could anyone subjectively or objectively believe that the Gill Biography was copyrighted by Texas A&M. Upon information and belief, Defendant Smith, in combination and conspiracy with other Defendants, placed the link to the altered and infringing copy of the Gill Biography in the e-magazine, along with the notation “COPYRIGHT 2014, TEXAS A&M UNIVERSITY,” fully knowing that Texas A&M did not have a copyright for the Gill Biography. A true and correct copy of the e-magazine is attached hereto as Exhibit Q.

74. And clicking on the hyperlink “more...” in the e-magazine led users to a page on the Athletic Department Website displaying the infringing article. A true and correct copy of a screenshot of the *TAMU Times* website taken by Bynum on the morning of January 22, 2014, is shown below:



75. Defendants' acts are, among other things, flagrant violations of Texas A&M's own Employee Use & Engagement Guidelines for social media ("Engagement Guidelines"). A true and correct copy of the Engagement Guidelines is attached hereto as Exhibit K. Listed as a "basic principle" to engaging in social media on behalf of or as a representative of the University or any of its entities is the following mandate: "Respect copyright laws and give credit to sources of written content, images and ideas you reference or use." The Engagement Guidelines further explain that employees must "[o]btain permission from the copyright owner before using copyrighted material such as original works of authorship including videos and images or literary, dramatic, musical, and artistic works. Provide a link to the original material if possible."

76. It was the policy of Texas A&M to require its employees to respect copyright laws and obtain consent for materials used on the website, on social media, or otherwise. An objectively reasonable person in any of Defendants' positions would have, or alternatively should have, known



that use of the altered copy of the Gill Biography was unlawful. Despite all the manipulations of the altered and infringing Gill Biography, and all the copying, distributing, and publishing carried by Defendants, not a single one inquired with Bynum, Canning, or anyone else. Instead, every single Defendant acted with knowledge, or at least reckless disregard for the fact, that they were copying, distributing, and publishing a copyrighted work.

77. Upon information and belief, Defendant Marquardt obviously knew that the Gill Biography was copyrighted, given his undisputed possession of the three documents reflecting the copyright information CMI. Defendants Cook, Callaway, Simon, and Smith knew or should have known the same under the circumstances set forth herein. Any one of Defendants could have prevented the numerous infringements committed by asking (and confirming the answer to) one simple question: *Do we have the right to publish this original work?*

78. The numerous infringements were the natural, probable, and expected consequences of Defendant Marquardt's distribution on January 17, 2014, of Defendant Callaway's efforts to edit and further alter the copy of the Gill Biography, of Defendant Cook's decision to post the altered copy of the Gill Biography, of Defendant Simon's actual posting of the altered copy of the Gill Biography, and of Defendant Smith's including the altered copy of the Gill Biography in the *TAMU Times* e-magazine. All of Defendants' actions were carried out with knowledge that the altered copy of the Gill Biography was stripped of its CMI and was being published without the consent of the copyright owner, or were carried out with reckless disregard of the same. Simply put, it defies reason to suggest that an experienced Texas A&M employee like any one of Defendants would believe that it was acceptable to copy, distribute, and publish the Gill Biography without any permission from Bynum, Canning, or anyone else; at a minimum, it would have been



objectively unreasonable for any one of Defendants to hold such a belief.

79. Cementing Defendants' knowledge of the illegal nature of their publications, Mr. Cooper emailed Defendant Marquardt on January 21, 2014, at 3:50 PM informing him that the *TAMU Times* had published a copyrighted work. A copy of this email, as produced by Defendant Marquardt, is attached hereto as Exhibit M. Defendant Marquardt turned around and forwarded the email to Defendant Callaway and Defendant Cook, stating: "Sweet. I'm sure a Mike Bynum phone call is forthcoming." Under the circumstances, Defendant Marquardt's statement reflects clear knowledge of his violation of copyright law. This email was produced for the first time pursuant to Defendant Marquardt's responses to Plaintiffs' requests for production, which responses were served on August 23, 2021.

80. Defendants Callaway and Cook thus clearly knew at the time that their publications were unlawful. Moreover, given the context of this communication, entirely devoid of any confusion or statement of innocence from any Defendant, it is apparent that all Defendants knew exactly what they had done. Yet Defendants did nothing to correct the violations, further exacerbating the violations.

**C. Bynum Discovers Defendants' Wrongdoing and Immediately Communicates With Them About the Infringing Publications**

81. Only weeks after his December 2013 email exchange with Defendant Marquardt, Bynum learned that Defendants had taken Bynum's copy of the Gill Biography—which had never been published or available to the public before—and published a near verbatim copy of it as a feature story in the January 21, 2014 edition of the *TAMU Times* e-magazine. Consistent with Defendant Smith's plan, the e-magazine included a hyperlink to a page on Texas A&M's Athletic Department Website displaying the infringing copy of Bynum's Gill Biography.

82. Bynum later discovered that the infringing article had first appeared on the Athletic Department website on January 19, 2014, when Defendant Simon had posted it. From January 19 through January 21, the website received more than 3,000 pageviews per day. In fact, it received approximately 11,394 unique pageviews, as a direct and proximate result of the knowing and reckless actions of Defendants Marquardt, Callaway, Cook, Simon, and Smith.

83. On the morning of January 22, 2014, at approximately 9:23 AM, Bynum, after receiving Mr. Cooper's email from the day before, sent Alan Cannon, Lane Stephenson, and Defendant Marquardt emails requesting that the infringing article be removed immediately from the Athletic Department Website. Bynum noted that the story had never been cleared for publication with anyone and that their taking and use of his Gill Biography was unauthorized, unlawful, and a breach of ethics. A copy of this email thread is attached hereto as Exhibit L.

84. As also reflected by Exhibit L, this email was forwarded by Lane Stephenson within minutes to Defendant Smith with the comment, "Here's Bynum's irate follow-up email message," clearly reflecting that Defendants *already* had been discussing the infringement and Bynum's concerns about the same. This email from Lane Stephenson to Defendant Smith was produced for the first time on December 2, 2021.

85. Upon information and belief, given their proximity to this matter over the course of January 17, 18, 19, 20, and 21, all Defendants were aware that they published a copyrighted work without the copyright owner's permission. The morning of January 22, Alan Cannon responded internally that the "process of removal is ongoing." *Id.*

86. Upon information and belief, Defendants acted to remove the altered and infringing copy of the Gill Biography because they knew that they had violated the law. It defies reason to suggest

that Defendants believed that their actions were innocent and yet acted quickly to attempt to remove the infringing content.

87. In fact, Defendant Marquardt responded several hours later, advising Bynum that the infringing article was no longer on the Athletic Department Website and attempting to reduce the Defendants' conduct to a mere "mix-up," despite the fact that he had actual knowledge, or obviously had reason to know — based on the May and June 2010 emails from Bynum and the CMI Defendant Marquardt removed and altered from the *12th Man* book — that the Gill Biography was owned by Plaintiffs and had never been licensed to Texas A&M or its Athletic Department. A copy of this email is attached hereto as Exhibit N. Tellingly, Defendant Marquardt admitted in his email to Bynum:

We remain very interested in utilizing Whit's story, however. With the Seattle Seahawks and their 12th Man getting a lot of attention in the NFL, the story was an important part of our strategic plan to show Texas A&M is the true owner of the "12th Man."

*Id.* Marquardt added:

It was an incredibly coincidental mix-up on my part. I was cleaning my office, which you may recall is generally a cluttered mess. While going through files, I found a story of the 12th Man on some slightly yellowed 8.5x11 paper. I had no recollection of it [sic] origin. But I'm always seeking background info on the 12th Man, especially since we joined the SEC and reporters aren't as familiar with the history of the 12th Man. I asked my secretary to key it in for me which she did. A few days after that, my co-worker asked if I had anything on the 12th Man. Coincidentally, I did and that's how a 16-year old story found its way on the internet.

*Id.*

88. Although Defendants removed the infringing article from the Athletic Department Website on January 22, 2014, their widespread promotion of it had grown out of their control and led to further infringement by those who were retweeting or emailing the pirated 12th Man story

to others by email or other social media methods. In particular, Defendants' display and distribution of the infringing article, and promotional social media posts containing hyperlinks to the infringing page of the Athletic Department Website, caused fans to copy the infringing article in its entirety and re-post it on various online forums for Texas A&M fans, including on [www.tamu.247sports.com](http://www.tamu.247sports.com) and [www.AgTimes.com](http://www.AgTimes.com), and forward it by email, further harming Plaintiffs' market for the *12th Man* book.

89. For example, several months later, on April 12, 2014, Cooper alerted Bynum that he received an email containing an exact copy of the infringing article that was displayed on the Athletic Department Website. The email had been forwarded multiple times, further harming Bynum's market for the *12th Man* book.

90. Upon information and belief, Defendants Marquardt, Cook, Callaway, Simon, and Smith directly infringed Plaintiffs' exclusive rights to reproduce the copyrighted work in copies, to distribute copies of the work, to make a derivative work, and to display the copyrighted work publicly.

91. Upon information and belief, Defendants' infringing article has been distributed to and/or viewed by hundreds of thousands of people that comprise the market for Plaintiffs' *12th Man* book. At this point, it is a known fact that at least 700 people retweeted at least one of the two Texas A&M Twitter tweets of the Gill Biography and that went to more than 100,000 followers. One of the retweeters was Watson, the Yahoo Sports blogger who wrote about Texas A&M's trolling of the 12<sup>th</sup> Man. She sent one of the Texas A&M tweets, with a link to the Gill Biography, to her approximately 16,000 followers. Such widespread distribution occurred as a result of Defendants' unauthorized copying, distribution, and display of the Gill Biography, and Defendants' further

promotion of the unlawful copy through hyperlinking to the page on the Athletic Department website displaying the infringing article. Defendants knew and intended that this sort of widespread distribution would occur.

92. Thus, all Defendants knowingly, or with extreme recklessness, induced, caused, and materially contributed to the infringing acts of others.

93. By reason of Defendants' infringement, Plaintiffs have sustained substantial injury, loss, and damage to their copyrights in the Gill Biography, and to their business.

94. By reason of Defendants' intentional, multiple violations of the Digital Millennium Copyright Act, Bynum has sustained substantial injury, loss, and damage to his business.

### **CAUSES OF ACTION**

#### **COUNT ONE**

##### **Copyright Infringement Against All Defendants, 17 U.S.C. § 504**

95. Plaintiffs hereby restate and re-allege the allegations set forth in paragraphs 1 through 94 above and incorporate them herein by reference.

96. The Gill Biography consists of original material that is copyrightable subject matter under the Copyright Act, 17 U.S.C. § 101 *et seq.*

97. Bynum is the copyright owner of the *12th Man* book and the Gill Biography. Pursuant to a work made for hire agreement with Canning, Bynum owns this copyright.

98. Bynum is the owner of U.S. Copyright Registration No. TXu002020474 for the 2010 draft of the *12th Man* book containing the Gill Biography at issue. Bynum also owns U.S. Copyright Registration No. TXu2028522 for a shorter version of the *12th Man* book, including the Gill Biography.

99. Pursuant to a publishing agreement with Bynum, Epic Sports, the publishing imprint of Canada Hockey LLC, owns the exclusive rights to publish the *12th Man* book and Gill Biography.

100. Defendant Marquardt had access to the 2010 draft of the *12th Man* book containing the Gill Biography when Bynum provided the draft in PDF format to Marquardt in May 2010 and June 2010.

101. Defendant Marquardt had access to a hard copy of the copyright-protected Gill Biography.

102. Defendant Marquardt copied the Gill Biography nearly word-for-word to create an altered and infringing article that is substantially and strikingly similar to Bynum's Gill Biography.

103. Among his acts known and as of yet unknown, Defendant Marquardt copied, displayed, and published the altered and infringing copy of the Gill Biography when he sent it to Defendant Callaway. Under the circumstances, Defendant Marquardt acted willfully, or least with willful blindness, when he copied, displayed, and published a copyrighted work without permission of the copyright owner.

104. Among his acts known and as of yet unknown, Defendant Callaway copied, displayed, and published the altered and infringing copy of the Gill Biography when he edited it and sent it to Defendant Simon. Under the circumstances, Defendant Callaway acted willfully, or at least with willful blindness, when he copied, displayed, and published a copyrighted work without permission of the copyright owner. Additionally, Defendant Callaway further copied, displayed, and published the copyrighted work in its altered form when he Tweeted the link to the same.

105. Among his acts known and as of yet unknown, Defendant Simon copied, displayed, and published the altered and infringing copy of the Gill Biography when he posted it on the Athletic Department website. Defendant Simon acted willfully, or at least with willful blindness, when he

copied, displayed, and published the copyrighted work without permission of the copyright owner.

106. Among his acts known and as of yet unknown, Defendant Cook caused the copying, displaying, and publishing of the altered and infringing copy of the Gill Biography when he made the decision to post it on the Athletic Department website. Defendant Cook acted willfully, or at least with willful blindness, when he caused the copying, displaying, and publishing of the copyrighted work without permission of the copyright owner. More significantly, Defendant Cook's actions unfortunately reflect that a senior officer of a Southeastern Conference university had approved of the violation of an individual's copyright rights to benefit Texas A&M University.

107. Among her acts known and as of yet unknown, Defendant Smith copied, displayed, and published the altered and infringing copy of the Gill Biography when she included it in the *TAMU Times* e-magazine and on the *TAMU Times* website. Defendant Simon acted willfully, or at least with willful blindness, when she copied, displayed, and published the copyrighted work without permission of the copyright owner.

108. Among their acts known and as of yet unknown, Defendants conspired and combined to cause a "news release" to be published to an unknown number of recipients on January 20, 2014. This news release did not include Canning's name, or any of the other copyright information or CMI regarding the Gill Biography. This news release contained an altered and infringing copy of the Gill Biography. Defendants acted willfully, or at least with willful blindness, when they copied, displayed, and published the copyrighted work without permission of the copyright owner.

109. In accordance with Defendant Smith's plan that had been laid out days earlier, upon information and belief, Defendants working together caused the @TAMU Twitter account (which at the time had approximately 160,000 followers) to send out a Tweet that contained a link to the

altered and infringing copy of the Gill Biography that had been posted on the Athletic Department website. Defendants acted willfully, or at least with willful blindness, when they copied, displayed, and published the copyrighted work without permission of the copyright owner.

110. In violation of Texas A&M policies, Defendants copied, displayed, and published the infringing work. Defendants committed these violations willfully, given the obviousness of the copyright at issue, the direct disregard for the CMI connected to the Gill Biography, and the undisputed collective failure of Defendants to confirm whether the Gill Biography was copyrighted by Canning, Epic Sports, or anyone else.

111. It is objectively unreasonable to cause an original work to be copied, displayed, and published without any recognition or appreciation of the existence of a copyright holder. Here, all Defendants either knew that the Gill Biography was a copyrighted work, and acted in purposeful violation of that copyright, or willfully ignored the reality that the Gill Biography was a copyrighted work.

112. Without consent, authorization, approval, or license, Defendants knowingly and willfully infringed Bynum's exclusive rights in the Gill Biography.

113. Defendants have caused Plaintiffs substantial damages, including without limitations the lost profits that would have been realized were it not for Defendants' conspiring and combining to blast the altered and infringing copy of the Gill Biography into the wide reaches of the internet.

114. As a direct and proximate result of Defendants' direct copyright infringement, Plaintiffs have suffered monetary loss and are entitled to the recovery of damages from Defendants in amounts to be determined at trial, or in the alternative statutory damages.



## COUNT TWO

### **Contributory Copyright Infringement Against All Defendants**

115. Plaintiffs hereby restate and re-allege the allegations set forth in paragraphs 1 through 114 above and incorporate them herein by reference.

116. Due to the use and public display of the infringing copy of the Gill Biography on the Internet, the Gill Biography was directly infringed by Defendants Marquardt, Callaway, Cook, Simon, Smith, and potentially other downstream infringers.

117. All Defendants induced, caused, and materially contributed to the infringing acts of others by encouraging, inducing, allowing, and assisting others to copy, reproduce, display, and distribute the altered and infringing copy of the Gill Biography.

118. In particular, all Defendants participated in a campaign to use background information on Gill to promote Texas A&M as the true owner of the 12th Man trademark and story and encouraged the unauthorized use of the Gill Biography.

119. Among their acts known and as of yet unknown, Defendants were responsible for inducing, causing, and materially contributing to the post of the altered and infringing copy of the Gill Biography on the Athletic Department website, the promotional tweet from the @AggieFootball Twitter account hyperlinking to the page on the Athletic Department Website displaying the infringing article, the inclusion of the altered and infringing copy of the Gill Biography in the *TAMU Times* e-magazine and on the *TAMU Times* website, and the News Release containing the altered and infringing copy of the Gill Biography.

120. Among other acts known and as of yet unknown, Defendant Marquardt provided an altered and infringing copy of the Gill Biography to Defendant Callaway, fully aware that Defendant

Callaway and others would further distribute the work and in purposeful or willfully blind disregard for the copyright holder's rights.

121. Among other acts known and as of yet unknown, Defendant Callaway provided an altered and infringing copy of the Gill Biography to Defendant Simon, fully aware that Defendant Simon and others would further distribute the work and in purposeful or willfully blind disregard for the copyright holder's rights. In fact, Defendant Callaway engaged in these acts, which in turn facilitated and contributed to his own infringing activities in the form of Tweeting the link to the altered and infringing copy of the Gill Biography.

122. Defendant Callaway further Tweeted the link to the altered and infringing copy of the Gill Biography from the @AggieFootball Twitter account, fully aware that the @TAMU Twitter account and other would further distribute the work and in purposeful or willfully blind disregard for the copyright holder's rights.

123. Among other acts known and as of yet unknown, Defendant Cook made the decision to post the altered and infringing copy of the Gill Biography to the Athletic Department website, fully aware that Defendant Simon and others would further distribute the work and in purposeful or willfully blind disregard for the copyright holder's rights.

124. Among other acts known and as of yet unknown, Defendant Simon posted the altered and infringing copy of the Gill Biography to the Athletic Department website, fully aware that Defendant Callaway and others would further distribute the work and in purposeful or willfully blind disregard for the copyright holder's rights.

125. Among other acts known and as of yet unknown, Defendant Smith included the altered and infringing copy of the Gill Biography in the *TAMU Times* e-magazine and on the *TAMU Times*

website, fully aware that others would further distribute the work and in purposeful or willfully blind disregard for the copyright holder's rights. In addition, Defendants Smith and Callaway orchestrated the social media plan with the distribution of the altered and infringing copy of the Gill Biography serving as a key component, thereby further facilitating and contributing to the infringements of the copyright holder's rights.

126. Defendants at all times had knowledge that their acts would induce, cause, and materially contribute to the numerous infringements of the Gill Biography. In the alternative, they were willfully blind to the facts that their acts would induce, cause, and materially contribute to the numerous infringements of the Gill Biography.

127. The acts and conduct of Defendants, as alleged above, constitute contributory copyright infringement. All Defendants were the but-for and proximate cause of the numerous violations that ultimately occurred with respect to the altered and infringing copy of the Gill Biography.

128. As a direct and proximate result of Defendants' contributory copyright infringements, Plaintiffs have suffered monetary loss and are entitled to the recovery of damages from Defendants in amounts to be determined at trial, or in the alternative statutory damages.

### **COUNT THREE**

#### **Direct and/or Secondary Violations of the Digital Millennium Copyright Act Against All Defendants 17 U.S.C. § 1203**

129. Plaintiffs hereby restate and re-allege the allegations set forth in paragraphs 1 through 128 above and incorporate them herein by reference.

130. The *12th Man* book, which was provided in PDF form to Defendant Marquardt, and which embodied the infringed Gill Biography, contained CMI as such term is defined in 17 U.S.C.

1202(c).

131. The hard copy of the Gill Biography that Defendant Marquardt possessed also contained CMI.

132. Among other acts known and as of yet unknown, Defendant Marquardt intentionally removed CMI from the *12th Man* book, without the authority of the copyright owner or the law, by omitting the notice of copyright, including the editor, copyright owner, and publisher information contained therein, when he created the infringing copy of the Gill Biography and sent the same to Defendant Callaway, knowing that the altered and infringing copy of the Gill Biography would be further copied, distributed, and displayed to the public in violation of Plaintiffs' rights under copyright law.

133. Among other acts known and as of yet unknown, Defendant Marquardt intentionally distributed the altered and infringing copy of the Gill Biography, knowing that CMI had been removed without the authority of the copyright owner or the law, when he sent the same to Defendant Callaway, knowing that the altered and infringing copy of the Gill Biography would be further copied, distributed, and displayed to the public in violation of Plaintiffs' rights under copyright law.

134. Among other acts known and as of yet unknown, Defendant Callaway intentionally distributed the altered and infringing copy of the Gill Biography, knowing that CMI had been removed, when he sent it to Defendant Simon. Defendant Callaway knew or had reason to know that he was inducing, enabling, facilitating, or concealing infringements of the copyright holder's rights. Defendant Callaway also intentionally distributed the altered and infringing copy of the Gill Biography, knowing that CMI had been removed, when he Tweeted it from the @AggieFootball

Twitter account linking to the Athletic Department website, knowing that he would induce, enable, and facilitate further infringements of the copyright holder's rights in the form of further Tweets and publications.

135. Likewise, Defendants conspired and combined to intentionally distribute the altered and infringing copy of the Gill Biography, knowing that CMI had been removed, when one or more Defendants caused a Tweet from the @TAMU Twitter account linking to the Athletic Department website, knowing that they would induce, enable, and facilitate further infringements of the copyright holder's rights in the form of further Tweets and publications.

136. Among other acts known and as of yet unknown, Defendant Simon intentionally altered CMI by intentionally inserting, or causing to be inserted, the phrase "special to Texas A&M Athletics" after the byline to Canning in the infringing copy of the Gill Biography, knowing that the altered and infringing copy of the Gill Biography would be further copied, distributed, and displayed to the public in violation of Plaintiffs' rights under copyright law.

137. Among other acts known and as of yet unknown, Defendant Simon intentionally distributed the altered and infringing copy of the Gill Biography, knowing that CMI had been removed, when he posted it on the Athletic Department website. Defendant Simon knew or had reason to know that he was inducing, enabling, facilitating, or concealing infringements of the copyright holder's rights.

138. Among other acts known and as of yet unknown, Defendant Cook caused the distribution of the altered and infringing copy of the Gill Biography, knowing that CMI had been removed, when he made the decision to post it on the Athletic Department website. Defendant Cook knew or had reason to know that he was inducing, enabling, facilitating, or concealing infringements of

the copyright holder's rights.

139. Among other acts known and as of yet unknown, Defendant Smith intentionally distributed the altered and infringing copy of the Gill Biography, knowing that CMI had been removed, when she included it on the *TAMU Times* e-magazine and on the *TAMU Times* website. Defendant Smith further distributed an altered and infringing copy of the Gill Biography with false CMI when she included it on the *TAMU Times* e-magazine with the notation "COPYRIGHT 2014, TEXAS A&M UNIVERSITY" underneath the link to the altered and infringing copy of the Gill Biography. Defendant Smith knew or had reason to know that she was inducing, enabling, facilitating, or concealing infringements of the copyright holder's rights.

140. Defendants intentionally altered CMI by intentionally altering, or causing to be altered, the title of the Gill Biography in an attempt to establish ownership of the stolen 12th Man story from "An A&M Legend Comes to Life" to "The Original 12th Man."

141. Defendants intentionally altered CMI by intentionally removing, or causing to be removed, the author of the Gill Biography in the news release, among other copies, displays, and publications of the altered and infringing copy of the Gill Biography.

142. Defendants distributed false CMI along with the infringing copy of the Gill Biography knowing that the CMI was false, and had been removed and altered without the authority of the copyright owner or law.

143. Defendants distributed the infringing copy of the Gill Biography knowing that the CMI had been removed and altered without the authority of the copyright owner or law, and knowing, or having reasonable grounds to know, that the actions would induce, enable, facilitate, or conceal infringement.

144. Due to the acts and conduct of these individuals, as alleged above, they are jointly and severally liable for all violations of § 1202 of the Digital Millennium Copyright Act, including each and every instance in which access to the altered and infringing copy of the Gill Biography was provided electronically to a person via email, via website access, via access to the news release, via access through Twitter, or via any other means of access.

145. As a direct and proximate result of Defendants' copyright infringement, Plaintiffs have suffered monetary loss and are entitled to the recovery of damages from Defendants in amounts to be determined at trial, or alternatively, the statutory damages provided by § 1203.

#### **PRAYER FOR RELIEF**

Plaintiffs request the following relief:

1. An Order awarding Plaintiffs their actual damages resulting from, or statutory damages for, the direct and contributory infringements of Plaintiffs' copyrights, in an amount to be determined at trial.
2. An Order awarding Plaintiffs their actual damages or, in the alternative, statutory damages for each of the violations of the Digital Millennium Copyright Act.
3. An Order granting recovery of Plaintiffs' attorneys' fees and costs.
4. An Order granting pre-judgment interest at the legally allowable rate on all amounts owed.
5. Such other and further relief as the Court deems just and proper.

#### **DEMAND FOR JURY TRIAL**

Pursuant to Federal Rule of Civil Procedure 38, Plaintiffs hereby demand a trial by jury of all issues triable of right by a jury.

**SERVICE ON NEW DEFENDANTS**

Plaintiffs will serve a copy of this second amended complaint along with a summons on Defendants Callaway, Cook, Simon, and Smith by private process server. Defendant Marquardt will be served electronically by way of his counsel.

*s/Charles W. Prueter* \_\_\_\_\_

Charles W. Prueter

*Admitted Pro Hac Vice*

FORTIF LAW PARTNERS, LLC

2021 Morris Avenue, Suite 300

Birmingham, Alabama 35203

[charles@fortif.com](mailto:charles@fortif.com) | 205.832.9109

Warren V. Norred

NORRED LAW, PLLC

515 East Border Street

Arlington, Texas 76010

[wnorred@norredlaw.com](mailto:wnorred@norredlaw.com) | 817.704.3984

*Counsel for Michael J. Bynum and Canada  
Hockey, LLC d/b/a Epic Sports*



**CERTIFICATE OF SERVICE**

I hereby certify that on November 23, 2022, the foregoing document was electronically submitted with the Clerk of Court for the United States District Court, Southern District of Texas, using the electronic case filing system of the Court. Plaintiffs will serve copy of this second amended complaint along with a summons on Defendants Callaway, Cook, Simon, and Smith by private process server. Defendant Marquardt will be served electronically by way of his counsel.

s/Charles W. Prueter

Charles W. Prueter

FORTIF LAW PARTNERS, LLC

# **Exhibit A**

### BOOK PUBLISHING AGREEMENT

This agreement hereby confirms that Michael J. Bynum ("Bynum") in 1997 had retained Whit Canning ("Canning"), a sportswriter from Fort Worth, Texas, to write a feature story on E. King Gill and a sidebar story on the January 2, 1922, Dixie Classic, and three feature stories on Doak Walker, Matty Bell and Kyle Rote for use in a pair of books on Texas A&M and SMU football (the "Stories").

Canning acknowledges that he was paid a initial fee of \$2,500 in 1997 for these five Stories, with a future payment of \$2,500 to be paid when the five Stories were to be published.

Canning also acknowledges that the copyright, and all rights therein, both known and unknown, to these five Stories were assigned to Bynum when the five Stories were originally delivered in 1997 to Bynum, and that such assignment is final.

Canning acknowledges that his work on the five Stories has been done on a "Work for Hire" basis and that all content in these five stories is original and was created entirely by Canning.

Bynum now intends to publish the five Stories in a pair of books on Texas A&M and SMU football and has issued a second payment of \$2,500 to Canning, which he acknowledges receiving.

This agreement is dated the 5th day of February, 2014.

SIGNED BY:

Whit Canning

WITNESSED BY:

Brian Canning

AGREED AND ACCEPTED BY:

Michael J. Bynum

Michael J. Bynum

# **Exhibit B**

## **AGREEMENT**

THIS AGREEMENT is made the 28 day of December 2020, by and between Michael J. Bynum ("Bynum"), whose mailing address is P.O. Box 102033, Birmingham, AL 35210; Canada Hockey LLC ("Canada Hockey"), a Delaware corporation, whose mailing address is P.O. Box 102033, Birmingham, AL 35210, and whose shares are 100 percent owned by Michael J. Bynum; and Whit Canning ("Canning"), whose mailing address is 3117 Sweet Briar Lane, Fort Worth, TX 76109.

WHEREAS, Bynum has been a writer, editor, and publisher of sports books for more than four decades;

WHEREAS, Canada Hockey is a packager and publisher of sports-related properties;

WHEREAS, Canning is a sportswriter who has considerable experience covering Texas football and its celebrated sports heroes;

WHEREAS, in 1997, Bynum specially commissioned Canning to write three stories for use in a future book on the life of E. King Gill and the 12th Man legend ("12th Man Book"), and three stories for use in a future book on SMU football ("SMU Football Book"), all for publication through his publishing imprint, Epic Sports ("Epic Sports") (all stories hereinafter referred to as "Stories");

WHEREAS; Bynum and Canning entered into and executed a work for hire agreement for the Stories in 1997 ("1997 Agreement");

WHEREAS; Bynum and Canning agreed in the 1997 Agreement that Canning would be paid a total fee of \$5,000 for writing the Stories, \$2,500 payable upon delivery of the Stories, with the remaining \$2,500 payable within thirty days of publication of the 12<sup>th</sup> Man Book or the SMU Football Book, whichever first occurred;

WHEREAS, Bynum and Canning agreed in the 1997 Agreement that the Stories would be considered a "work for hire" as defined in the Copyright Act of 1976, and that Bynum would be deemed to be the sole and exclusive owner of all right, title, and interest in and to the Stories, including all copyright and proprietary rights relating thereto;

WHEREAS, it has been 23 years since Bynum and Canning signed the 1997 Agreement, but at this point the parties cannot locate their respective copies of the 1997 Agreement;

WHEREAS, in 2014, Bynum and Canning executed an agreement confirming the existence of the 1997 Agreement, but for the avoidance of doubt, desire to reconfirm the existence of the 1997 Agreement in this Agreement; and

WHEREAS, Bynum and Canada Hockey now desire Canning to write two new introductions for the 12th Man Book and the SMU Football Book, under the terms and conditions set forth in this Agreement.

NOW, THEREFORE, in consideration of the mutual promises and undertakings herein contained and for other good and valuable consideration, intending to be legally bound, the parties desire to confirm the existence of the 1997 Agreement and its terms, and agree further as follows:

1. **CONFIRMATION OF 1997 AGREEMENT.** Bynum and Cannon each hereby confirm that they entered into an agreement in 1997 and agreed as follows:

A. Canning was specially commissioned by Bynum to take a research file that had been prepared by Bynum, conduct a series of interviews, perform additional research, if needed, and write the following stories:

1. a 5,000-word biographical feature story based on the life and sports career of E. King Gill, a 1,000-word story on the 1922 Dixie Classic football game, and a 1,000-word story on the 1922 Texas A&M-Texas football game, all for use in the 12<sup>th</sup> Man Book; and
2. a 1,000-word story on SMU coach Matty Bell, a 1,000-word story on former SMU football star Doak Walker, and a 1,000 word story on former SMU football star Kyle Rote, all for use in the SMU Football Book;

B. Bynum would pay Canning a total of \$5,000 as follows:

1. \$2,500 for the E. King Gill story;
2. \$500 for the 1922 Dixie Bowl story;
3. \$500 for the 1922 Texas A&M-Texas football game story; and
4. \$1,500 for the stories on Matty Bell, Doak Walker, and Kyle Rote;

with \$2,500 payable upon delivery of the Stories, and the remaining \$2,500 payable within thirty days of publication of the 12th Man Book or the SMU Football Book, whichever first occurred;

C. the Stories would be considered a "work for hire" as defined in the Copyright Act of 1976; and

D. Bynum would be deemed to be the sole and exclusive owner of all right, title, and interest in and to the Stories, including all copyright and proprietary rights relating thereto.

2. **CONFIRMATION OF EXECUTION OF 1997 AGREEMENT.** Bynum and Canning each hereby confirm that they, and each of them, executed a written agreement containing the terms set forth in Section 1 of this Agreement, and that the agreement was executed prior to Canning's creation of the Stories.

3. **CONFIRMATION OF RECEIPT OF STORIES AND INITIAL PAYMENT.** Bynum hereby confirms that, following execution of the 1997 Agreement, (i) Canning delivered the Stories in 1997; and (ii) Bynum paid Canning \$2,500 upon delivery in accordance with the 1997 Agreement.

4. **CONFIRMATION OF 2014 PAYMENT.** Bynum hereby confirms that, without his knowledge or permission, Texas A&M University and the Texas A&M Athletic Department published a substantial part of the 12th Man Book. Upon learning of such publication, he paid

Canning the remaining \$2,500 of the total \$5,000 fee in February 2014, within thirty days of such publication.

5. **CONFIRMATION OF CREATION OF STORIES, TRANSFER TO BYNUM, AND RECEIPT OF PAYMENT.** Canning hereby confirms that, following execution of the 1997 Agreement, (i) he wrote and delivered the Stories in 1997 as a work for hire for Bynum; (ii) Bynum paid Cannon \$2,500 for the Stories in 1997 upon delivery; and (iii) Bynum paid Canning the remaining \$2,500 in February 2014. He further confirms and agrees that (i) the Stories are a “work for hire” as defined in the Copyright Act of 1976; and (ii) Bynum is the sole and exclusive owner of all right, title, and interest in and to the Stories, including all copyright and proprietary rights relating thereto.

6. **REPRESENTATIONS AND WARRANTIES.** Canning represents and warrants that the Stories are original; that the Stories had not been previously published prior to delivery to Bynum; and that, from creation of the Stories to the present day, Canning has granted no other rights to the Stories to any other person other than Bynum.

7. **ASSIGNMENT.** For the avoidance of doubt, if the Stories are not considered work for hire, Canning assigns to Bynum all of Canning’s rights and interest in and to the copyright in the Stories and in and to all other proprietary rights associated with the Stories. Canning will execute and deliver to Bynum a Copyright Assignment in the form of Exhibit A attached to this Agreement. Canning agrees to execute and deliver all such further documents and perform all such further acts as Bynum may from time to time reasonably request, at no cost to Canning, in order to assign and confirm to Bynum all rights in and to the Stories.

8. **NEW INTRODUCTIONS.** Bynum and Canada Hockey specially commission Canning to dictate two new 500-word introductions for the 12<sup>th</sup> Man Book and the SMU Football Book (“Introductions”). The Introductions will be edited by Bynum and added to the beginning of the 12<sup>th</sup> Man Book and the SMU Football Book.

9. **PAYMENT FOR INTRODUCTIONS.** Bynum and Canada Hockey will pay Canning upon the signing of this Agreement a fee of \$2,000 for the Introductions. Canning will dictate the Introductions to Bynum within 90 days after signing this Agreement.

10. **TRANSFER OF RIGHTS.** The Introductions will be considered work made for hire as defined in the Copyright Act of 1976. Bynum will have sole ownership of the Introductions, including copyright to and in the Introductions. If the Introductions are not considered work for hire, Cannon assigns to Bynum all rights in the Introductions, including copyright to and in the Introductions. At Bynum’s request and expense, Cannon will execute any documents that may be necessary to confirm Bynum’s ownership of the Introductions.

11. **IMAGE AND LIKENESS.** Canning agrees to allow Bynum and Canada Hockey to use Canning’s name and likeness to promote the 12<sup>th</sup> Man Book and SMU Football Book.

12. **COMPLIMENTARY COPIES.** If Bynum and Canada Hockey publish the 12<sup>th</sup> Man Book or the SMU Football Book, Bynum will provide Canning with twenty-five (25) free copies of each version of the books that are published, not for resale. Canning may purchase additional copies at a discount of 50% off the cover price.



13. **ROYALTIES.** Bynum and Canada Hockey reserve the right not to publish the 12<sup>th</sup> Man Book or the SMU Football Book. If either the 12<sup>th</sup> Man Book or the SMU Football Book is published in the future, Bynum will pay Canning (i) a royalty of \$1.00 per hardcover or softcover copy sold; and (ii) a royalty of \$0.50 per e-book copy sold. Said royalties shall be paid every six months on March 15 and September 15, based on sales during the sales periods from July 1 to December 31 and January 1 to June 30, with an accounting breakdown of the sales during the respective period.

14. **PERMISSIONS.** If Bynum and Canada Hockey publish the 12<sup>th</sup> Man Book or the SMU Football Book, Bynum and Canada Hockey agree to obtain, and pay for, the necessary permissions for all photos and other text reprinted in the New Book.

15. **HOLD HARMLESS.** Bynum and Canada Hockey agree to indemnify and hold harmless Canning against any litigation or judgments from any future publication of the 12<sup>th</sup> Man Book, the SMU Football Book, or any other future publication of the Story.

16. **EARLY TERMINATION.** If either party fails to perform any of its material obligations under this Agreement, the other party may at its option give written notice to the defaulting party, specifying the nature of the alleged default and demanding that the default be cured. Upon receipt of the notice, the party claimed to be in default shall have thirty (30) days within which to cure any default that may exist. If the default is not cured within the allotted time, the non-defaulting party may terminate this Agreement by written notice, in addition to any other remedies available at law or in equity.

17. **NO ASSIGNMENT.** This Agreement and any rights and obligations herein granted with respect to Canning are personal to Canning and shall not be assigned, sublicensed, encumbered or otherwise transferred by Canning without the prior written consent of the other parties. All assignments of rights in violation of this section are prohibited, whether they are voluntary or involuntary, by merger, consolidation, dissolution, operation of law, or any other manner.

18. **NO WAIVER.** The parties may not waive any provision in this Agreement except in writing executed by the party against whom the waiver is sought to be enforced. No failure or delay in exercising any right or remedy or in requiring the satisfaction of any condition under this Agreement, and no course of dealing between the parties, operates as a waiver or estoppel of any right, remedy, or condition. A waiver made in writing on one occasion is effective only in that instance and only for the purpose that it is given, and is not to be construed as a waiver on any future occasion.

19. **BINDING EFFECT.** Subject to the provisions of this Agreement governing assignment, this Agreement binds and benefits the parties and their permitted successors and assigns.

20. **SEVERANCE.** If any term, covenant, condition or provision of this Agreement or the application thereof to any person or circumstance is determined to be invalid, illegal, or unenforceable, the remaining provisions of this Agreement remain in full force, if the essential terms and conditions of this Agreement for each party remain valid, binding, and enforceable to the fullest extent provided by law.



21. **NOTICE.** Notice by either party is deemed given when mailed, postage paid, certified or registered return receipt requested, and addressed to the other party at the address noted below:

If to Canada Hockey:      Canada Hockey  
   Attn: Mike Bynum  
   P.O. Box 102033  
   Birmingham, AL 35210

If to Bynum:                 Michael J. Bynum  
   P.O. Box 102033  
   Birmingham, AL 35210

If to Canning:             Whit Canning  
   3117 Sweet Briar Lane  
   Fort Worth, TX 76109

22. **AUTHORITY.** Each of the parties hereby represents and warrants to the other party that it has the right, power and legal authority to enter into and perform the Agreement in accordance with its terms and that this Agreement when executed and delivered by the parties will be a legal, valid and binding obligation against the parties in accordance with its terms.

23. **MODIFICATION.** No modification of any provision of this Agreement shall be effective unless in writing and signed by both parties.

24. **ENTIRE AGREEMENT.** This Agreement embodies the whole agreement of the parties hereto with respect to the subjects set forth herein.

25. **CHOICE OF LAW.** The laws of the State of Alabama govern this Agreement, including, without limitation, its validity, interpretation, construction, performance, and enforcement.

26. **EXECUTION IN COUNTERPARTS.** This Agreement may be executed in any number of counterparts, and this has the same effect as if the signatures on the counterparts were on a single original version of this Agreement.

*[Signature page follows]*

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date noted hereinabove.

MICHAEL BYNUM

By: Michael J. Bynum

Date: 1-8-2021

CANADA HOCKEY, LLC

By: Michael J. Bynum  
Michael J. Bynum

Title: President

Date: 1-8-2021

WHIT CANNING

By: Whit Canning

Date: 12-28-20

**EXHIBIT A**

**ASSIGNMENT OF COPYRIGHT**

FOR VALUE RECEIVED, the undersigned, Whit Canning ("Assignor"), 3117 Sweet Briar Lane, Fort Worth, TX 76109, hereby irrevocably transfers and assigns to Michael J. Bynum, in perpetuity and throughout the world, all rights, title, and interest, including any copyrights and renewals or extensions thereto, and including all causes of action, whether now accrued or hereafter existing in connection therewith, in the following works:

1. 5,000-word biographical feature story based on the life and sports career of E. King Gill
2. 1,000-word story on the 1922 Dixie Classic football game
3. 1,000-word story on the 1922 Texas A&M-Texas football game
4. 1,000-word story on SMU coach Matty Bell
5. 1,000-word story on former SMU football star Doak Walker
6. 1,000 word story on former SMU football star Kyle Rote

IN WITNESS WHEREOF, the undersigned has executed the foregoing this 27 day of December, 20 20

WHIT CANNING

By: Whit Canning

# Exhibit C

## E. King Gill/12th Man Book

From: Mike Bynum (mjbsports2@yahoo.com)

To: bmarquardt@athletics.tamu.edu; gjohnson@suddenlinkmail.com

Date: Friday, June 18, 2010 at 03:08 PM EDT

Hi Brad & Glen,

I have attached for your review a draft version of the 12th Man Book on E. King Gill and Texas A&M football. Please note that this is a work in progress and is not in final form yet.

Glen -- please note the photo credits have not been updated yet.

I need help in locating images for the following:

1. See Page 91 -- do you have a better version of this photo?
2. See Pages 102-105 -- this is a story from the 1976 A&M-Texas game. Do you have any better game-action photos?
3. See Pages 110-113 -- this is the 1984 A&M-Texas game. Do you have better and more crisp versions of these images?
4. See Pages 118-123. Do you have color versions of these B&M images, or better color images?
5. See Page 123 -- I need a good color image of Dat Nguyen.

Finally, Brad -- who wore jersey 43 in the 1939 Season or in the 1940 Sugar Bowl.

Thanks for your assistance!

Mike Bynum  
[mjbsports2@yahoo.com](mailto:mjbsports2@yahoo.com)



5.21.10\_12MB.pdf  
3.8MB

# Exhibit D





# 12<sup>th</sup> MAN

*The Life and Legend of  
Texas A&M's E. King Gill*

*Edited by Mike Bynum*



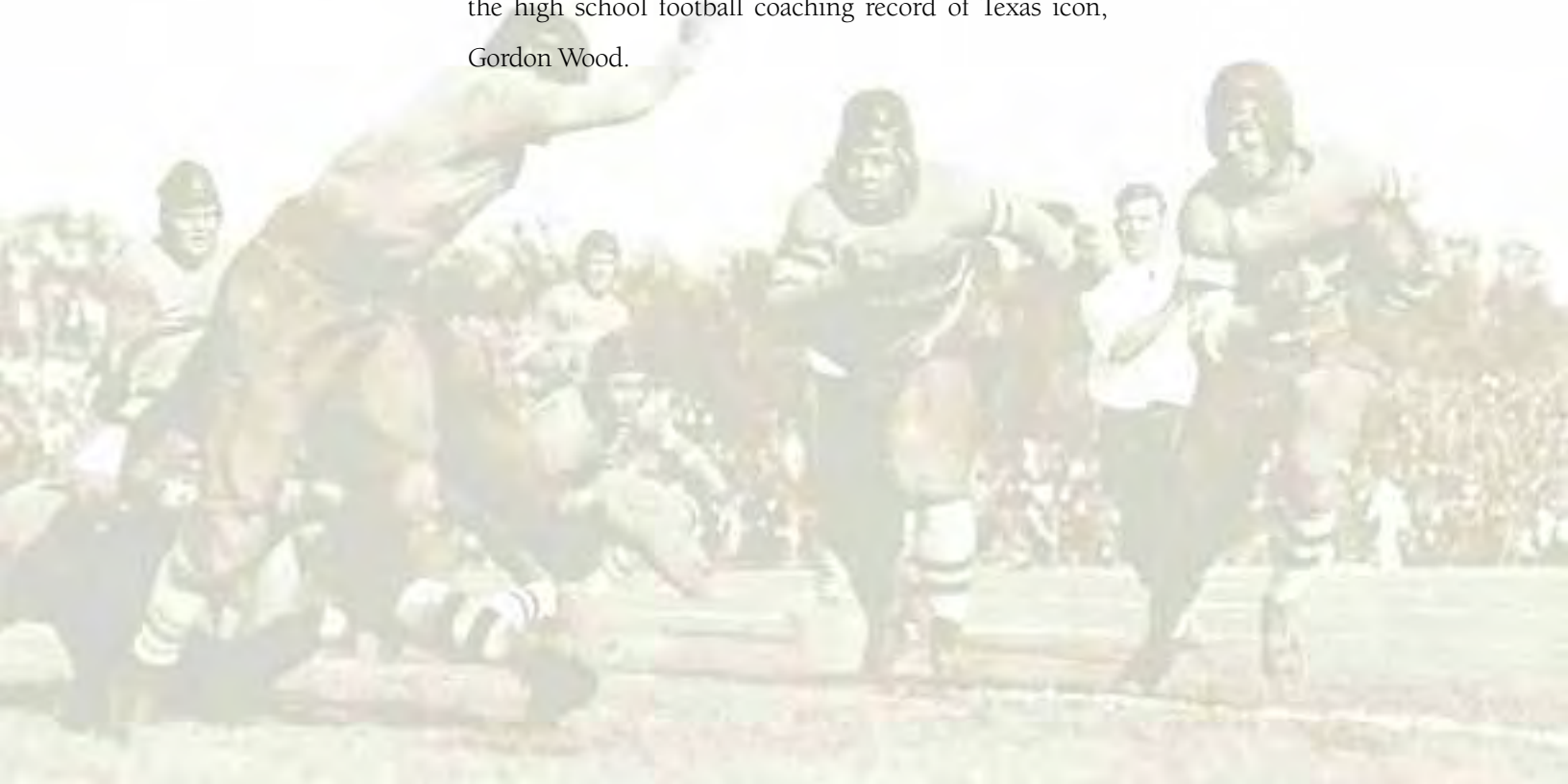


**Whit Canning**, a former sportswriter with *The Fort Worth Star-Telegram*, covered Southwest Conference, WAC and Big 12 football for 23 years. Before joining *The Star-Telegram*, he worked with *The Fort Worth Press*, covering the Southwest Conference and the Dallas Cowboys.

A native of Fort Worth and a graduate of Texas Christian University, Canning is also the author of *Doak Walker: More Than a Hero*; *Sam Baugh: Best There Ever Was*; *Tales from the Texas Longhorns' Sidelines* and *Texas Longhorns: Where Have You Gone?*

**Mike Bynum** is the author of seven books on college and pro football and has edited more than 75 books on college and pro ice hockey, college basketball and college and pro football.

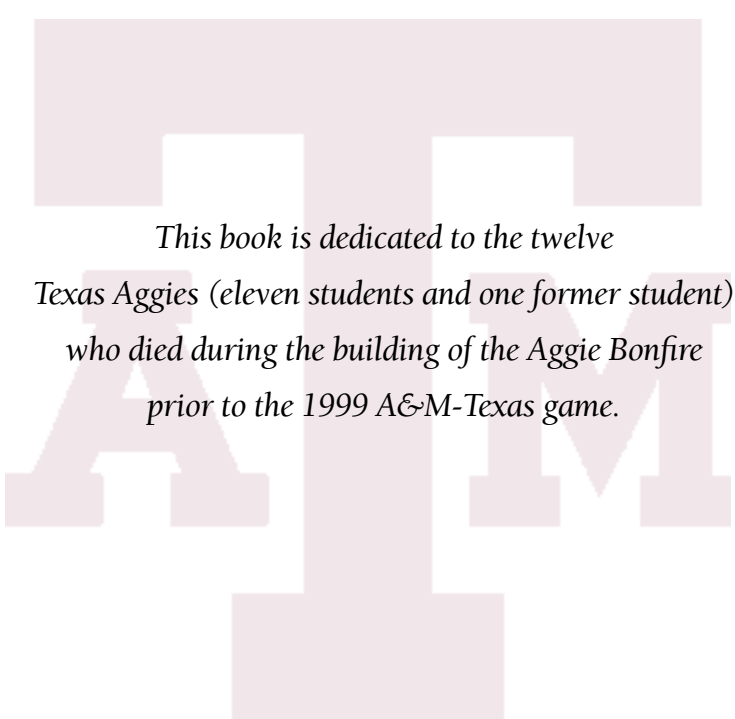
Bynum is also a highly-accredited sports researcher, having tracked down and discovered the original birth of Texas high school football and straightened out the college coaching record of Glenn (Pop) Warner, the high school basketball coaching record of future UCLA wizard, John Wooden, and the high school football coaching record of Texas icon, Gordon Wood.











*This book is dedicated to the twelve  
Texas Aggies (eleven students and one former student)  
who died during the building of the Aggie Bonfire  
prior to the 1999 A&M-Texas game.*



**Nearly 90 years ago**, E. King Gill stepped from behind the modest wooden stands at Fair Park Stadium, dressed in a football uniform borrowed from a teammate, and into the history books. Gill's story began to take on legendary status following the Texas A&M Aggies' 1939 national championship football season.

Through the years, however, very little has been known about the real story of this Texas icon. Often, when a story has been written about Gill in A&M publications, it has been based on a 500-word press release written decades ago and is usually accompanied by the well-known photo of Gill, which was made at an Aggie practice in 1922.

In an attempt to flesh out Gill's real story, I had hired Whit Canning, the former Fort Worth Star-Telegram sportswriter to separate the myth from the legend and present a modern-day look at Texas A&M's biggest hero. Canning, who is perhaps the finest sports biographer in Texas, and had earlier taken on the tough assignments to chronicle the lives of Lone Star gridiron legends Slingin' Sammy Baugh and Doak Walker in their authorized biographies, would prove to be an excellent choice to take on this assignment.

Gathering the many photos and memorabilia of Gill for this book was part of a four-year research effort which I personally oversaw. Dozens of Texas libraries and archives were visited during this period, with many never-before-seen photos and unique A&M historical items located.

The result of this effort is this wonderful, behind-the-scenes tale of a young man who would eventually become a highly-successful doctor, who was skilled as a three-sport letterman while at Oak Cliff High and at A&M, and whose willingness to leave the warm confines of a Fair Park press box during the chilly Dixie Classic, played on January 2, 1922, to change into an A&M football uniform and be ready to play in the event he was needed – it was an incredible, selfless act that would inspire all future Aggie alums and, in time, became part of Texas A&M and college football folklore.

The game accounts of the 12 greatest A&M wins, located in the second section of this book, are reprinted from the *Houston Chronicle's* coverage of these memorable contests. *The Chronicle*, which is Texas' largest newspaper, has been covering the Aggies' gridiron exploits since 1901.

Hopefully, Aggie fans will enjoy this trip back in time to the fledgling days of Texas A&M football and the story of one of its biggest legends.

Mike Bynum  
August 1, 2010

## **12<sup>th</sup> MAN**

---

### ***Acknowledgments:***

Alan Cannon, Colin Killian, Brad Marquardt and the Texas A&M Athletic Media Relations staff, Jerry Cooper, David Chapman and Jennifer Bradley of the Cushing Memorial Archives at Texas A&M University, Bo Carter and the Big 12 Media Relations Office, Charlie Fiss and the AT&T Cotton Bowl.

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*AllState Sugar Bowl*: 57.

*Glen Johnson*: 3, 8, 30-all, 49, 106, 107, 108-both, 109, 110, 111, 112, 113, 114, 115, 116-117, 118, 119, 12, Back Cover.

*Centre University Archives*: 38, 41-both.

*Corbis Bettman Photos*: 84.

*Corpus Christi Caller-Times*: 31.

*Cushing Memorial Library Archives*: 1, 9, 13-bottom, 14-both, 15, 16-both, 17, 18, 19, 20, 23, 24, 25, 26, 27, 28, 29, 35, 37-all, 39, 40-both, 44, 45-both, 52, 53-both.

*Getty Images*: 91, 122, 123, 124, 126, 127. .

*Oak Cliff High School*: 10-both, 11-both, 12, 13-top.

*Texas A&M Athletic Dept.*: Front Cover, 2, 33, 34, 42, 43, 47, 50-51, 54, 56-both, 64, 65, 66, 69, 75, 78, 80, 82, 86, 87, 88, 89, 90-bottom, 93, 96-both, 98, 99, 102, 103, 105-both.

*University of Texas at Arlington Archives*: 58, 59, 60, 61, 62, 63, 68, 72, 77, 90-top, 92, 94, 95.

*University of Texas Archives*: 7, 46.

**Cover and Book Design:** Kathy Sellers, Communication Arts; and James Wilkins, Birmingham, Ala.

**Typefaces:** Berkeley Old Style, Giza, Volta, Minion, Trade Gothic.

**Published by:** Epic Sports, Birmingham, Ala.



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# *An A&M Legend Comes to Life*

9

**By Whit Canning**

**In December 1986**, as Earle Bruce's Ohio State team prepared for a New Year's Day battle with Texas A&M in the Cotton Bowl, visitors to the Buckeyes' practice sessions noticed something a bit odd.

It seemed to occur especially when there were members of the media present: every time the Buckeyes went through a contact drill, they lined up with 12 men on both sides of the ball.

"Well," Bruce deadpanned, when questioned by reporters, "we're playing Texas A&M aren't we? I've always heard that they play with 12 men.

"And we ain't goin' out there shorthanded."

A publicity stunt, to be sure. But also, a tip of the hat to one of the most unique and enduring legends in the history of college football. And for nearly 70 years the Aggies have believed that every time a ball is teed up on an autumn Saturday, they have an edge.

It is the legacy of Earl King Gill, a onetime A&M football player who was better suited to basketball — a sport in which he achieved All-Southwest

Conference recognition in 1922-23 and 1923-24. Since he was known throughout his life by his middle name of "King," "Earl" was soon shortened to just the initial "E."

Hence the legend of E. King Gill, a youth blessed with marvelous energy of mind, body and spirit — who in one sense, at least, was destined to become a remarkable failure.

In his senior yearbook at Oak Cliff High School (now Adamson) in Dallas, Gill is described as "a boy who avoids public praise as much as possible, preferring to have his success pass without display."

It is a view of Gill that endured through the 74 years of his life, which began on New Year's Day 1902 and ended on December 7, 1976.

But given the fact that a statue of him now stands at the North end of Kyle Field and that no student has passed through A&M in nearly 70 years without learning his name, his determination to "avoid public praise" was singularly unsuccessful.

He never led A&M to a national championship, as



**12<sup>th</sup> MAN**

did John Kimbrough in 1939, nor did he win a Heisman Trophy, as did John David Crow in 1957. He was never even named all-conference in football, toiling in the shadow of Aggie gridiron stars such as Puny Wilson, Bull Johnson, Sam Sanders and Cap Murrah.

But because of one inspirational act in Dallas on January 2, 1922, he eventually became the most revered Aggie of them all: The Twelfth Man.

On that day, Gill — a sophomore sub who had been released from the varsity football team in November so he could concentrate on basketball — sat in the press box spotting for a Waco newspaper while the Aggies struggled against unbeaten Centre College in the Dixie Classic, which was a distant forerunner of the Cotton Bowl game.

As the A&M squad, which totaled 18 at the kickoff, began to dwindle with injuries to only 11, a desperate call for help came from the bench. Moments later, dressed in a fallen teammate's uniform, Gill walked from beneath the stands and into the pages of history — taking his place on the sideline, ready to battle fate for the Aggies.

He stood there all day . . . never needed, taking no



**E. King Gill (pictured on the first row, middle) was the captain of the 1920 Oak Cliff High basketball team.**

physical part in A&M's 22-14 upset victory.

Almost apologetically, Gill laughed about it years later, saying, "I really wish I could say I went in and



**Gill (pictured on the third row, third from left) started at halfback on the 1919 Oak Cliff High football team that won the Dallas "city championship." A memorable win for the Leopards that season was an 18-12 road victory over powerhouse Waco High.**



**Gill (pictured on the third row, second from left) was a returning letterman for the 1920 Oak Cliff High baseball team and played in the outfield.**



**Gill led the Oak Cliff High basketball team to a record of \_\_\_\_\_ in 1920.**

scored the winning touchdown, because it would have made a much better story. But I didn't — I just stood there."

But as time passed, Gill's act that day grew to the status of legend, and eventually came to symbolize the spirit of the Aggies.

For another 40 years, A&M remained a relatively small, close-knit military school centered on its Corps of Cadets. It became, in time, a place famed for its myriad traditions.

Yet the legend of the 12th Man would soon become one of the greatest of all Aggie traditions.

"Probably, along with the annual Aggie Muster, it has become the greatest of all the traditions at A&M," says Harry Green, who graduated in 1952 and later spent 14 years as the director of The 12th Man Foundation. "I think

it's basically the way all Aggies identify themselves."

By the time Green got to College Station, the Corps had developed the tradition of standing throughout each game, symbolizing each man's willingness to step down out of the stands — as Gill once had — and help the team.

"In those days, there were all sorts of things you had to go through when you came in as a freshman," Green says, "including being constantly quizzed on Aggie lore. The 12th Man story was the question you had to be prepared to answer each night if you wanted your dessert."

Although A&M began expanding tremendously in the 1960's with the admission of women and non-corps students, the 12th Man legend was so firmly entrenched that it easily survived, and was enthusiastically adopted by all incoming students.

"It has outlived King Gill, and it will outlive us all," Green says. "The 12th Man tradition will never die."

It has survived because it also symbolizes the devotion — stated often throughout the years — of one Aggie to another. Arthur Dietrich, a member of the 1921 team, once said that "there was a closeness and a love on that team that is seldom seen, and we



**12<sup>th</sup> MAN**

12

dedicated ourselves to that game.”

The game — the 1922 Dixie Classic against Centre College — that launched the legend was remarkable in a number of ways, not least of which being the presence of two of the greatest football minds of the collegiate game’s early years — both of whom served, at various times, as savior and foe of the Aggies.

Charley Moran arrived at A&M in 1909 stating, “I did not come here to lose,” and proved immediately to be a man of his word. By the end of the season the University of Texas — which had lost only one of 17 previous meetings with the Aggies — had been whipped twice.

By 1912, Moran’s Aggies had become so formidable that the great state university in Austin refused to schedule them.

Soon thereafter, in gracious tribute to Moran’s sportsmanlike qualities, the Longhorns came up with a catchy refrain honoring their esteemed adversary:

*To hell, to hell with Charley Moran,  
And all his dirty crew;  
And if you don’t like the words to this song,  
Then to hell, to hell with you.*

In 1914, when administrators of eight universities met to write a charter for the Southwest Conference, UT minions agreed to join on one condition: that Moran be fired and barred from the league. In the interests of progress and regional harmony, A&M reluctantly agreed.

But on the eve of the resumption of the A&M-UT series in 1915, the exiled Moran struck the Longhorns with one final blow, in the form of a letter of exhortation to the A&M squad.

“If you still love me and think anything of me,” it read, “THEN BEAT TEXAS.”

A&M complied with a 13-0 upset of the favored Longhorns and inadvertently launched a Texas tradition in the process. When Aggie pranksters branded the score into the hide of UT’s longhorn mascot two years later, the steer’s mortified handlers were forced to alter the brand to read: “Bevo.”

And so, Texas’ mascot — BEVO —

became permanently named after a popular non-alcoholic brand of beer.

After a two-year drift, the Aggies came up with another winner to coach the A&M football squad: Dana X. Bible.

His first team, in 1917, was not only undefeated, but unscored-on. Then he departed for a year of service in France during World War I.

Bible returned to A&M in 1919, and his second team was both undefeated and unscored-on. In two seasons, his teams had played 18 games, won them all, and outscored their foes, 545-0.

In 1927, Bible had another undefeated team led by all-American Joel Hunt, and won six SWC titles in all before taking the prestigious head coaching job at Nebraska on the personal recommendation of Notre Dame coach Knute Rockne.

Describing his famous coach, Hunt once said, “Mr. Bible did not have to demand respect. You could not keep from respecting him. He was a man who stood above all, and you had to look up to him.”

Bible was also known as a master game day motivator and virtuoso of the Rockne-style, “Win One for the Gipper” halftime performance in the locker room.

Once, at halftime in a climactic battle with the Longhorns, Bible emulated Col. William B. Travis at the Alamo — drawing a line on the locker room floor and inviting anyone who wished to beat Texas to step across.

All did, of course, and the Aggies won.

On another occasion, after a miserable first-half performance, Bible refused to talk to his team at halftime.

Finally, just before the team went out for the second half, he walked into the room, looked around, and said, “Well girls, shall we go?” Once again, the Aggies won.

But in 1940, when he was coaching an underdog University of Texas team against an Aggie squad that had not lost in two years, he read the Edgar Guest



**Gill played halfback at Dallas’ Oak Cliff High School.**



poem, *It Can Be Done*, to his team, and UT won, knocking A&M out of the Rose Bowl.

Just as Bible would do years later, Charley Moran came back to face the 1921 Aggies in the guise of a formidable adversary. The place where he had landed — exiled from the SWC — was Centre College, a small private school in Danville, Kentucky.

At a distance of 88 years, Centre seems scarcely changed today. Playing at the Division III level, the school carries an enrollment of nearly 1,200, but there are still thrills.

“I loved playing there,” says former squad member Todd Frakes. “There isn’t much media attention, but we played in eight different states. We traveled constantly, and it was a lot of fun.”

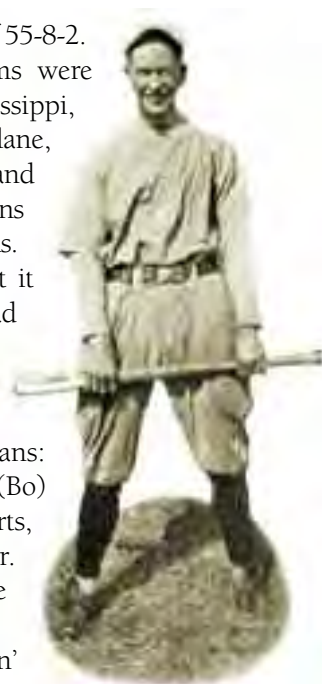
The teams from the era of World War I and beyond also traveled constantly, but there was a slight difference: during the period of 1917-24, Moran’s “Prayin’ Colonels” — a moniker they picked up after a half-time prayer session during the 1919 West Virginia game — frequently got bigger headlines than Knute Rockne’s Notre Dame football squad.

In that span, Centre boasted three undefeated teams

and posted a total record of 55-8-2. Listed among the victims were Indiana, Clemson, Mississippi, Kentucky, Auburn, Tulane, Tennessee, Alabama and Georgia — often by margins of six or seven touchdowns.

“Uncle Charley” was at it again, and in 1921 he had perhaps his greatest team. Incredibly, the team boasted three Walter Camp all-Americans: quarterback Alvin (Bo) McMillin, end Red Roberts, and center Red Weaver. McMillin and Roberts were three-time picks.

When the Prayin’ Colonels rolled into Dallas amid one of their storied barnstorming tours, they



**Gill was a pitcher on the Oak Cliff High baseball team in 1919 and 1920.**

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**Gill (pictured on the first row, far right) played guard on the 1921-22 A&M basketball team as a sophomore. The Aggies, who were coached by D.X. Bible (second row, far left), went 18-3 and won the Southwest Conference title.**



**12<sup>th</sup> MAN**

**TOP:** While at A&M, Gill won seven varsity letters: two in football (1921, 1922), three in basketball (1921-22, 1922-23, 1923-24) and two in baseball (1922, 1923). Gill is located at top right middle of the “T” in the above illustration of the 1921-22 Aggie letterman.

**BOTTOM:** The 1922 Aggie football team compiled a 5-4 record. Gill, a starting fullback, is pictured on the second row, fifth from right.



had just flattened the University of Arizona, 38-0. That brought the season ledger to 10-0, with collective foes having been outscored, 323-6.

But the centerpiece of the 1921 campaign had been an October 29 visit to Cambridge, Mass., where McMillin — later a famed coach in both college and pro ranks — led the Colonels on a date with destiny.

Scoring the game's only touchdown, McMillin, formerly a star at Fort Worth's North Side High School, engineered a stunning 6-0 victory over Harvard that snapped a 25-game winning streak for the hosts. For decades — on into the fifties — it was generally regarded as the greatest upset in college football history.

According to Gill, “in our game, Centre was definitely favored — by a whole lot.”

The 1921 A&M team, which was opposing this juggernaut, was not one of Bible's strongest — having compiled a 5-1-2 record with a loss to LSU and ties with Rice and Texas. But it was the Southwest Conference champion, and so earned itself a “bowl” trip.

Ominously, it was also a team already severely depleted by injuries — having lost two fullbacks — and only 18 players made the trip to Dallas.

The game received an extensive week-long buildup, beginning on Christmas Day, in the local papers. This was due largely to the fact that three Centre players were from Fort Worth and two from Dallas, among seven Texans on the squad.

Ending a storied career as a three-time all-American and already hired as head coach at Centenary College for the next season, McMillin came home to a hero's welcome, capped by a unique



**The 1922 Aggie baseball team posted a 9-3 record. Gill, a sophomore (pictured on the first row, fourth from left), won five of the seven games he pitched. He also had a .270 hitting average and a .952 fielding average.**

twist: in a ceremony on the morning of the game, he married his high school sweetheart, Miss Maud Marie Miers.

Meanwhile, the Aggies dressed for the game at their downtown hotel and prepared to depart for Fair Park Stadium, a mostly wooden 10,000-seat edifice that predated the Cotton Bowl.

Gill was among them, although he was in street clothes — and, as he recalled it years later, was about the last person in Dallas figuring on taking an active role in the afternoon's contest.

"Throughout high school and college, I always played three sports — football, basketball and baseball," he said. "But my favorite of the three was always basketball, because that's what I seemed best at.

"Although I was on the A&M football team in 1921, I was only a substitute. But I was in line for a regular spot on the varsity basketball squad, and the coaches figured I should give it my full attention. So they released me from the (football) team at Thanksgiving, and I concentrated on basketball.

"When the team went up to play Centre, I just went up there like all the other students. I wanted to see the game, and since I lived in Dallas, it also gave me a chance to go home for a visit."

What brought Gill to the A&M hotel on the day of the game was not the idea of playing in it, but simply

the thought of being able to get inside the stadium to watch it.

"There were no dressing rooms at the stadium," Gill recalled, "so the team put on their uniforms at the hotel and gathered in the lobby to take cabs to the game. I wanted to go with them because it was a good way to get into the stadium, and I didn't have the \$3 admission price. So I rode in one of the cabs.

"I was standing down on the field talking to Coach Bible before the game, when Jinx Tucker came by. He was the sports editor at the Waco paper and I knew him casually, and he said, 'Hey King, why don't you come up to the press box and spot for me?'

"So I wished Coach Bible good luck and told him I'd be up there if he needed me, and I went upstairs with Jinx."

At the time, it was an offhand remark, and Gill had no idea he would actually be needed. That situation changed rapidly, however.

"The trouble started right after the game got underway," Gill said. "We were already missing a kid named (F.K.) Buckner, who had been our fullback but had a bad leg. And pretty soon, we lost so many more players it began to look like we wouldn't be able to finish the game.

"Halfback Sam Sanders was the first to go. They knocked him cold.

"Heine Weir, our team captain and other halfback,



**12<sup>th</sup> MAN**

**The 1923 A&M football team posted a 5-3-1 record, but finished last in the Southwest Conference with a 0-3-1 record. Gill (pictured on the second row, seventh from right), a starting fullback in 1922, was injured part of the season and missed the season-ending contest against Texas.**

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**The 1923 A&M baseball team put together a 9-12-2 record. Gill (pictured on the second row, second from left) was injured while pitching and moved to the outfield at midseason.**

was next. He went out with a broken leg. Then we lost our fullback, Bull Johnson, and then our quarterback, Bugs Morris. A halfback named (T.L.) Miller was also injured, so within a short space of time, our whole offensive backfield plus one substitute had gone out of the game.

"I looked down at the field, and ole D.X. was waving at the press box and motioning toward our empty bench. He knew I was up there, because he had seen me leave with Jinx. And I knew what he wanted."

Just to make sure, Bible dispatched an A&M yell leader to the press box, and Gill was soon on his way down to the field.

"Since there were no dressing rooms, I changed clothes under the stands," Gill said. "They gave my

clothes to Weir, and I put on his uniform.

"And D.X. was standing there, and he said, 'Boy, it doesn't look like I'm going to have enough players to finish the game. You may have to go in there and just stand around for awhile.'

"I was the only (A&M) player on the bench during the second half. As it turned out, I wasn't needed. All our boys managed to survive from that point forward."

In fact, the Aggies managed a bit more than mere survival. They took a quick 2-0 lead when one of the visitors was tackled in the end zone trying to return a punt, then stopped two Centre drives inside their five-yard line. On one of these, they stopped McMillin on fourth down — inches from the goal line.

The Prayin' Colonels finally launched a drive to



**D.X. Bible's 1922-23 basketball team won the Southwest Conference title again — their fourth in four years — with a 16-4 record. Gill (pictured on the first row, second from right) started at guard and was named to the All-SWC squad.**

take a 7-2 lead, but A&M turned three breaks into quick scores in the second half and held a commanding 22-7 advantage in the fourth quarter. Centre scored once more, but the day belonged to Bible's Aggies.

Gill was certainly not the star of the game, but as the years rolled by, he became its most commanding presence. Ironically, it served to overshadow a distinguished career at A&M in which he won a total of seven varsity letters in three sports.

In the final game of the 1922 season, against Texas in Austin, Gill would score once and set up the other touchdown with a long run to lead the Aggies past the Longhorns, 14-7.

The game became etched in the collective memory because it would be A&M's last victory in Austin for 34 years — until Paul (Bear) Bryant's unbeaten 1956 powerhouse whipped a 1-9 Texas team (after which the Longhorns, in despair, took a gamble on a young coach named Darrell Royal) — but Gill's heroics that day would soon be forgotten.

It also went largely forgotten that Gill was a star guard on two conference championship basketball teams (in 1921-22 and in 1922-23).

He graduated from A&M in 1924 with a degree in

mechanical engineering, coached for a year at Greenville High, then entered the Baylor School of Medicine, which was located in Dallas.

After graduating from Baylor in 1929, he went directly into the Army Medical Corps in San Antonio. In 1934, he returned to civilian life and set up practice as an eye, ear, nose and throat doctor in Corpus Christi.

During World War II, he returned to the Army Medical Corps for five years, serving at Goodfellow Field in San Angelo and at the School of Aviation Medicine at Randolph Field near San Antonio.

He later served as the commanding officer of the base hospital at Majors Army Airfield in Greenville, then wound up his duty with the Far Eastern Air Force at Fort McKinley in the Philippines.

For many years, Gill never gave much thought of the incident that would one day transform him into a legendary, almost mythic, figure to thousands of Aggies.

"I think the Fort Worth paper mentioned it at the time," he said, "but I really never heard any more about it for about 15 years afterward.

"The story of the 12th Man really originated around 1939-40, when A&M had its national cham-



**12<sup>th</sup> MAN**

pionship team and there was a lot of interest. I think it first resurfaced when a guy named E.E. McQuillen dramatized the incident on a radio broadcast.”

In 1941, an Aggie supporter named Lillian Dean Hamilton Munnerlyn, known as “Nanny Munn,” wrote a song entitled *The Twelfth Man*. The song created its own tradition: it was sung at post-game yell practices — but only when the Aggies had lost:

*Texas Aggies down in Aggieland,  
We’ve got Aggie spirit to a man.  
Stand united! That’s the Aggie theme,  
We’re the 12th Man on the team.  
When we’re down, the goin’s rough and tough,  
We just grin and yell we’ve got the stuff  
To fight together for the Aggie dream,  
We’re the 12th Man on that Fightin’ Aggie team.*

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But the tradition had surfaced as early as 1930, when A&M coach Matty Bell called on the student body to give him a “Twelfth Man” center. He was rewarded with Joe Love, a gritty 5-foot-9, 155-pound center who lettered for two years.

In 1943, when every veteran on the team had gone off to war, Aggie coach Homer Norton placed a notice in the student newspaper asking for volunteers. He held his first team meeting a few days later, surrounded by 135 warm bodies.

But it remained for Jackie Sherrill to elevate the 12th Man tradition to the status of national phenomenon . . . an idea that became a publicity bonanza and gave its name to a rising dynasty.

When Sherrill announced that his home kickoff unit for 1983 would consist of a kicker and 10 student volunteers, he was greeted by a turnout that would have amazed Homer Norton — a total of 250 men and two women.

When the unit was finally pared down, one of its members, Corps of Cadets member Les Asel, spoke eloquently for the group.

“I never wanted to play college ball, because I figured high school was enough,” he said. “But when this happened, I got fired up about it.

“When we take the field in the opener against California (in 1983), they were in for a surprise. They’ve never faced a bunch of crazy, insane Aggies screaming down the field before. After all, a guy’s got to be a little bit crazy to come here and wear this uniform and be an Aggie in the first place.

“We’re just trying to help the football team. People



**Gill was a senior in 1923-24. He graduated from Texas A&M with a degree in mechanical engineering.**

say it’s a publicity stunt, but so what? We’re serious about this.

“What you have to understand is, I’m married to Texas A&M. This is part of the Aggie spirit, and I’ve always wanted to be an Aggie.”

The original unit, in ’83, held foes to an average of 13.1 yards per return, and successive towel-waving units vexed not only Bruce’s Buckeyes but Heisman Trophy winners Bo Jackson of Auburn and Tim Brown of Notre Dame in the Cotton Bowl.

R.C. Slocum cut the unit down to one representative — wearing No. 12 — in 1991, saying, “What E. King Gill did in 1922, he did alone — he didn’t have nine other guys with him.”

The effectiveness of the unit had decreased by then, but football fans from New York to California had learned the significance of the 12th Man.

By the time Sherrill created his version of the 12th Man, the man who inspired the legend was dead.

After a lifetime of community service, Gill sold his medical practice on to a friend and retired in 1972, at the age of 70. He had been slowed by a heart attack five years earlier, and a hunting accident in 1970 in which he lost part of a finger, hampering his capacity to perform surgery.



Also in 1970, he and his wife, Myrtle, had moved to nearby Rockport after Hurricane Celia extensively damaged their Corpus Christi home. By then, they also owned a 300-acre ranch near San Antonio.

He died in Rockport on December 7, 1976, and was buried in San Antonio.

To the end of his days, the description in his high school yearbook held true. If any man ever believed himself a legend, it wasn't King Gill.

Olive DeLucia, who arranges travel excursions for former students out of her office on campus, recalls taking the Gills on an Aggie junket to Hawaii.

"We all had a grand time," she says, "but if you were just one of the people on that trip, you would never have imagined that he (Gill) was the famous 12th Man. He was such a nice man, quiet and unassuming, and a gentleman.

"His wife was the expressive one . . . she could do that thing where you put two fingers to your mouth and whistle, and I remember thinking what a contrast it was between them."

But if there was ever a doubt that Gill was an Aggie legend, it was dispelled in 1980, when the statue of him was placed prominently in front of The 12th Man Foundation office near the stadium.

For all the Joel Hunts, Dick Todds and Joe Routts

and John Kimbroughs and Martin Rubys and John David Crows and Jack Pardees that led the Aggies to glory, the only man they ever cast in bronze was E. King Gill.

"It's a tradition that every Aggie can identify with," says A&M historian Jerry Cooper. "Through the years, there have been many attempts to more or less copy it, including the thing with Army and Navy where they stand throughout a game. But in their case, it isn't based on anything.

"People are still making attempts to co-opt it in various ways: there was a recent article in the school paper about Texas and Baylor developing special 'tradition' rings.

"But you don't just invent a tradition. Ours is based on a real event that actually happened once. It's history, and it's real. And for every Aggie, it says, 'I'm somebody special.'"

Meanwhile, the beat goes on. What E. King Gill started in 1922 has produced a massive fund-raising organization (The 12th Man Foundation), a campus statue of Gill by G. Pat Foley, which was a gift of the A&M Class of 1980, and a tradition wherein thousands of Aggies stand at the ready throughout a game, although in the modern context the thought that any of them might actually be called down to the



**The 1923-24 A&M basketball team posted a 13-10 record. Gill (pictured on the front row, middle) was named the team's captain and was again selected to the All-SWC team.**

**12<sup>th</sup> MAN**

**The 1923 Aggie baseball team posted a 9-13 record. Gill (pictured on the second row, third from left) began the season as a pitcher, and after getting a sore arm, was moved to the outfield.**

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field is wishful thinking.

Whereas Gill once stood, clutching his misshapen leather helmet and wondering if there would be enough Aggies left to finish the game, there is now a donor wall, which was built for \$150,000 with the aim of raising \$5.4 million and endowing every position on the varsity football team; or, financing the team itself.

The area is called The 12th Man Plaza.

And there are still attempts to identify with Gill's legacy: Emmitt Smith once implored the Dallas Cowboys and their fans to develop a "12th Man atmosphere," and Troy Aikman envisioned towel-waving fans "blowing off the roof (what there is of it) at Texas Stadium."

At English and European football (soccer) games, the home team's supporters are affectionally referred to as the "12th Man."

Back in the U.S., the 12th Man has also been compared to Biblical heroes and legends of the Old West, and provided the title for a 1974 book on the Aggies' football history.

But A&M is a place where traditions are like sunsets; you see one every day, from the story of the famous War Hymn being composed by a lonely soldier (Pinky Wilson) standing watch on the Rhine during World War I to the sacred

turf of Kyle Field, which is dedicated to the Aggies who died during World War II.

But while many can equate the 12th Man tradition to the Muster (held annually on San Jacinto Day), in the opinion of the man responsible for one of them, there was never a comparison.

To Gill, the Muster was the most sacred of Aggie traditions. And having served as an officer in the Pacific in World War II, he was acutely aware of the most famous Muster of them all: the one held by Aggies on the doomed island fortress of Corregidor just before it fell to the Japanese in 1942.

He visited the site when the Philippines were retaken, and when he was asked to give an address at a Muster years later, he considered it a great honor.

During his 1964 Muster speech, Gill recalled being in an assault wave on a Pacific island and shortly discovering a notice on a bulletin board announcing "a meeting of A&M men in tent 402 at 7 p.m. tonight."

"An officer standing near me said, 'You Aggies beat anything I've ever seen. We can establish a beach-head on one of these islands, and in a short time there will be a sign stuck in the sand saying there will be an A&M meeting tonight.'

"I think this probably demonstrates what other people think of Aggies. They may not particularly



# ADD PHOTO FROM GILL FAMILY

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like us, but they respect us.”

And of all the written and spoken accounts of the events of January 2, 1922, probably the most eloquent description of his actions was delivered, on this occasion, by the 12th Man himself.

“For one thing,” he said, “it has made me feel humble and proud to think that I might represent the finest body of young men in the U.S.

“Any one of them could be the 12th Man, but he must be ready to stand and fight for the things that are right and the traditions of this country and this school.

“It has made me a better man and a better doctor, and last, but not least, a more responsible citizen. It has, on the lighter side, made me the prime target for the many Aggie jokes that come along.

“It is my sincere hope that there will always be the Muster, and there will always be a Cadet Corps at A&M. Without it, there will be no A&M. For within it are found many of our most precious and hallowed traditions.

“As we reach into the future, it is well that we remember the past.”



# A&M's First 'Twelfth Man' Tells How the Tradition Was Born

**By Vernon Smylie**

*The Houston Press, Jan. 19, 1956*

It's a raw wintry day, Jan. 2 in Dallas, and the year is 1922.

A young coach by the named D.X. Bible walks along the sideline of a windswept football field and ponders a strange predicament.

His Texas Aggies are playing Centre College's famed Praying Colonels in a game tabbed as the Dixie Classic.

You've heard of these Praying Colonels.

They are the bunch who smashed Harvard in one of football's most thunderous upsets of all time.

They placed three men on the 1921 all-American team, and their quarterback, a round-faced youngster named Bo McMillin, has been acclaimed as the finest football performer in the nation.

## AGGIES IN TROUBLE

Now the first quarter is ending and the inspired Aggies are playing the highly-favored even with the Prayin' Colonels.

Yet the Aggies are in trouble — big trouble.

Already the 18-man A&M football team has been reduced to 11 men as the result of injuries.

The bench has been wiped clean. And there are three long quarters still to play.

Something has to be done.

It has to be done fast, too.

And what he does give birth to one of America's greatest collegiate traditions.

Turning towards the wooden bleachers, D.X. Bible summons a young man from the stands to take a place in a Texas A&M uniform, to sit on the Aggie bench, and to be prepared to enter the game, if he is needed.

## SPIRIT OF AGGIELAND

And thus came into being the tradition of Texas A&M's Twelfth Man — that symbol of the Spirit of Aggieland which demands that every Texas Aggie shall hold himself ready at all times to serve as he is needed.

And from it, too, has grown the ritual that brings

all members of the Texas A&M cadet corps to their feet at the start of every Aggie football game and keeps them there until the game ends.

\* \* \*

"The complete story?"

Dr. E. King Gill of Corpus Christi smiles at the question.

"Sure, I'll be glad to tell you about it exactly as I remember it.

"But, don't forget, that was a long time ago.

"It's hard to remember all of the details."

## DR. GILL'S OWN STORY

If anyone can tell you the full story Dr. Gill can.

Today, he is a physician — an ear, nose and throat specialist. He has practiced medicine in Corpus Christi since 1934.

But back on that day in 1922, he was the young man singled out by D.X. Bible to step from the stands and uphold the name of Texas A&M.

"Let me start at the very first and I think you will better how this thing came about," Dr. Gill says.

"I got out of high school in Dallas in the spring of 1920 and entered A&M that fall.

"I went to the Oak Cliff High School. They call it Adamson now.

"I always liked athletics. At Oak Cliff I lettered in football, basketball and baseball. I was captain of the basketball team.

"During my freshman year at A&M I won numerals in all three sports. But I guess my favorite of the three was basketball. That was probably was because I seemed to play it best.

"I point out these things because they have a bearing on what happened Jan. 2, 1922, in Dallas.

## A CAGE STAR

"It was during my sophomore year that the Dixie Classic was played.

"I went out for the football team that fall and I was a substitute back. But I dropped off the team about the middle of the season to start work with the



**The Houston Press** chronicled on the front page of its January 19, 1956, edition the story of E. King Gill and the birth of the 12th Man tradition.



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#### WORKED FOR JINX

basketball squad. I was in line for a regular spot on the basketball team, and the coaches figured I ought to give it my full attention.

"We really had a fine football team that year.

"As well as I can remember, the game against Centre College was one of the first intersectional games that a team from the Southwest had been able to schedule.

"But there was no doubt that Centre was favored.

"Favored decisively — in fact."

"The Colonels had that victory over Harvard under their belts, and, besides Bo McMillin, they had a couple of fine boys in Red Weaver, a center, and Red Roberts, who could play just about any position.

"All three of them — McMillin, Weaver and Roberts — were all-Americans.

"Nothing could have been more removed from my mind that day than the thought of playing or even getting into uniform.

"During training for the game, we had lost our regular fullback — a boy named Buckner — but I don't guess anybody thought we would run out of players.

"Just before the game started, I was standing down near the Aggie bench.

"Jinx Tucker, the old Waco sports writer, came by.

"We knew each other casually."

"Jinx was on his way to the press box and wanted somebody to spot A&M players for him.

"He asked me if I would.

"Naturally I was glad to do it.

"The game was in an old wooden stadium that was down a long time ago. I can't even remember its

name. It wasn't far, though, from where the Cotton Bowl now is located.

"The trouble started right after the game got under way.

### **DEEPER IN TROUBLE**

"I don't guess A&M has played more inspired ball.

"And I don't guess there ever has been a time when a team suffered more casualties.

"Our entire starting backfield and one backfield replacement went out in the first quarter.

"Sammy Sanders, if I'm not mistaken, was the first to go out.

"Sammy was one of our halfbacks, and, incidentally, he is an ear, nose and throat man himself now. Practices in Memphis, Tenn.

"I think they knocked Sammy cold.

"At any rate, he had to be taken off the field.

"Heine Weir, our captain, was the next casualty. He played the other halfback spot.

"Then we lost our fullback, a boy named Bull Johnson, and then our quarterback, A.B. Morris.

"Louis E. Miller, another halfback, also had to be taken out of the game with injuries.

"So you can imagine what desperate shape we were in by that time.

### **A WAVE FROM D.X.**

"It was at that point I looked down at our bench.

"Old D.X. was waving at the press box and motioning toward the empty bench.

"He knew I was up there. He had seen me leave with Jinx.

"And I knew what he wanted.

"I ran down though the bleachers and jumped onto the field.

"I'll never forget what he said to me.

" 'Boy,' he said, 'it doesn't look like I'm going to have enough players to finish the game. You may have to go in and stand around for awhile.'

"That was all there was to it.

"The next thing I knew, they hustled me under the grandstand.

"They didn't have dressing rooms in those days.

"They handed me Heine Weir's uniform and told me to get into it.

"I got into it, all right — as fast as I could.

"I don't know what they put on Heine.

"My clothes, maybe?



**Gill, at practice, prior to the 1922 season.**

"Frankly, I don't remember.

"I do remember, though, that I was the only player on the bench.

"I stayed there all of the rest of the game.

### **A&M WON, TOO**

"All of our boys managed to survive from that point forward, and they even went on to win the game.

"That is the story — exactly as it happened.

"I wish I could say I ran for the winning touchdown.

"But I didn't.

"I simply got ready — just in case I was needed."

\* \* \*

It took the tradition of the Twelfth Man several years to come into its own.

King Gill moved faster.

The following season he became a regular fullback on the Aggie grid team and emerged as an on-the-field hero of A&M's 14-7 conquest of the University of Texas Longhorns. In that contest, he





**Gill (42) tries to escape from a tackler during the 1923 Texas A&M-Sewanee contest, which was played on October 13th at Fair Park in Dallas.**

smashed over for one touchdown and provided the long-gainer that set up the other one.

The game was played at old Clark Field in Austin, and it remains to this day as the last Aggie victory over a Longhorn eleven in Austin.

#### **BAYLOR MED GRADUATE**

In basketball, Gill won all-conference honors as a center. He was also a regular pitcher on the baseball team.

Gill graduated from A&M in 1924 with a degree in mechanical engineering. That fall he coached at Greenville High School. A year later he entered Baylor University School of Medicine in Dallas.

Graduating from Baylor in 1929, Gill went directly into the Army Medical Corps. He remained in service until 1934, when he returned to civilian life and took up residence in Corpus Christi.

During World War II, Dr. Gill returned to the Medical Corps for five years, serving at Goodfellow Field in San Antonio and at the School of Aviation Medicine at Randolph Field near San Antonio.

From there, he went back to Greenville — as commanding officer of the base hospital at Majors Army Air Field. He wound up his duty with the Far Eastern Air Force at Fort McKinley in the Philippine Islands.

He left service with the rank of colonel.

Dr. Gill has been active in professional and civic circles in Corpus Christi and South Texas. He and

Mrs. Gill live quietly in one of Corpus Christi's top residential areas.

#### **TRADITION WAS BORN**

The Twelfth Man tradition?

"I really can't say for sure how it caught on," Dr. Gill says.

"Somebody else would be much better qualified to answer that one.

"There was, of course, some talk about the incident immediately after the game.

"I think it was mentioned in a few newspapers.

"But there wasn't a whole lot said.

"I really didn't hear much about it until 15 years later.

"It caught hold, I think, at the time A&M football teams were on top of the heap — when John Kimbrough and those boys were in school.

"But by that time, of course, the Cadet Corps had begun the practice of standing at football games."

#### **STILL A FAN**

Dr. Gill still attends a good many A&M football games.

But the original Twelfth Man uses the same factors to guide him to games as does the ordinary football fan.

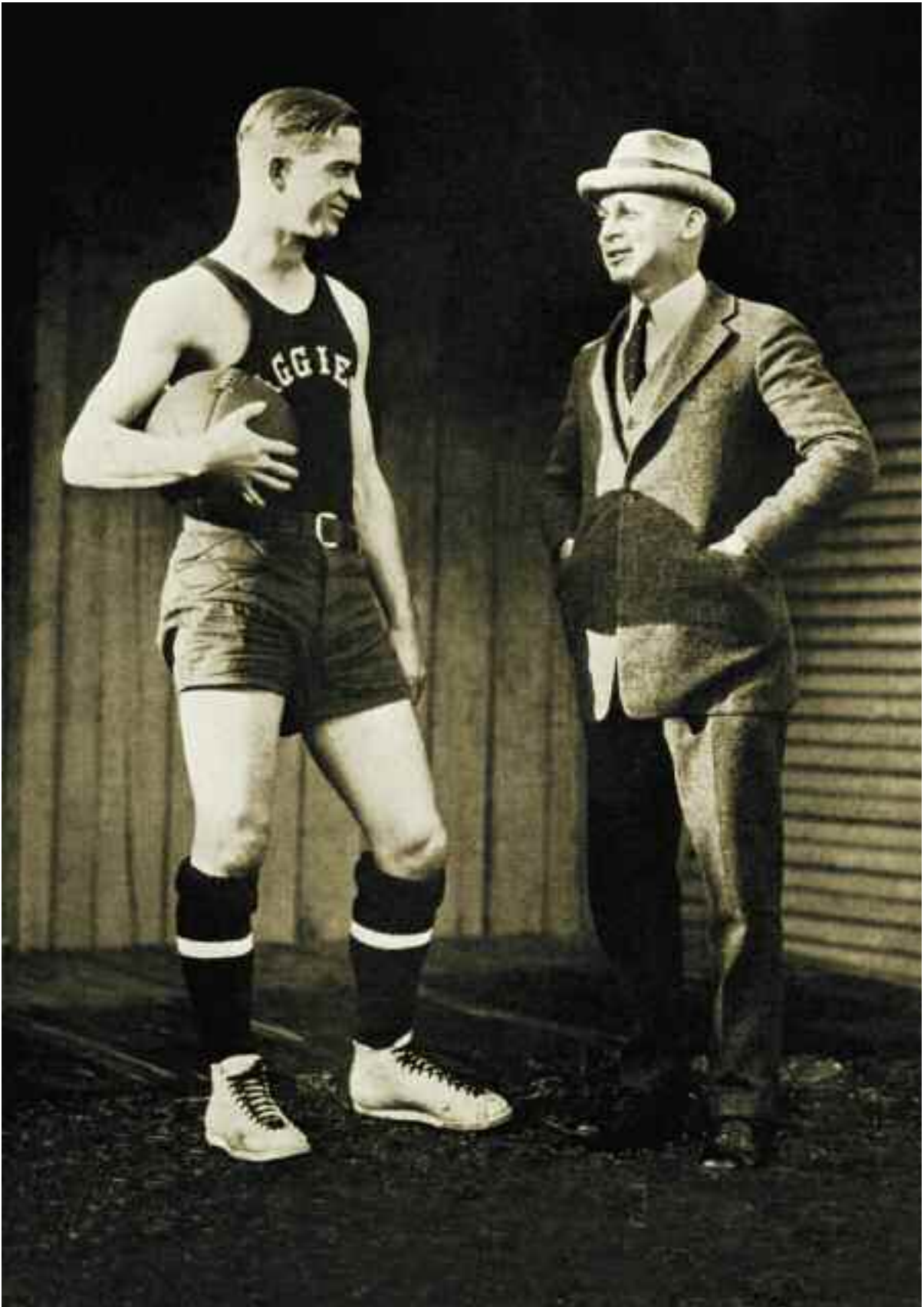
"I guess the number of games I attend each season usually is decided by just how good our first 11 men are," he says.



## 12<sup>th</sup> MAN

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**A pair of A&M legends: Gill with his coach, D.X. Bible, prior to the 1923-24 basketball season.**



## PROBABLE LINEUPS

AGGIES		S. M. U.	
T. F. WILSON (3)	LEFT END	HENRY (27)	
E. O. WILSON (1)	LEFT TACKLE	MAGNESS (36)	
JOHNSON (CAPT.) (35)	LEFT GUARD	PAYNE (28)	
BRADFORD (16)	CENTER	DANIELS (CAPT.) (11)	
FORGASON (32)	RIGHT GUARD	BROOKS (38)	
DANSBY (21)	RIGHT TACKLE	M'GHEE (46)	
EVANS (16)	RIGHT END	STEWART (25)	
KNICKERBOCKER (30)	QUARTERBACK	STOLLENWERCK (41)	
PINSON (10)	LEFT HALF	VISOR (13)	
NEELY (23)	RIGHT HALF	WALLING (14)	
GILL (43)	FULLBACK	REISOR (22)	



KING GILL, No. 43, Full.

"His Majesty, GEI, King of Aggiehood." Thus he has been called by writers of many fables, but the Aggies depend upon their Dallas product for more than the role implies. Passer, punter, line-runner, all combined—versatility perfected is found in the Aggie fullback. A smashing aggressor on the offense and the machine gun of SMU's traditional defensive machine, King is indispensable to the Aggies.



"SLIM" KNICKERBOCKER, No. 30, Quarter.

It seems to be another Knickerbocker legend in Aggiehood. When "Slim" was lost in the Aggies three years ago, Bida agreed that the greatest of all quarters had gone. But with "Slim" showing better ability as a field general in every game, the Aggie member is not far from being otherwise now. He has one more year to play with the Aggies; this is doubtlessly satisfactory with other southwest teams.



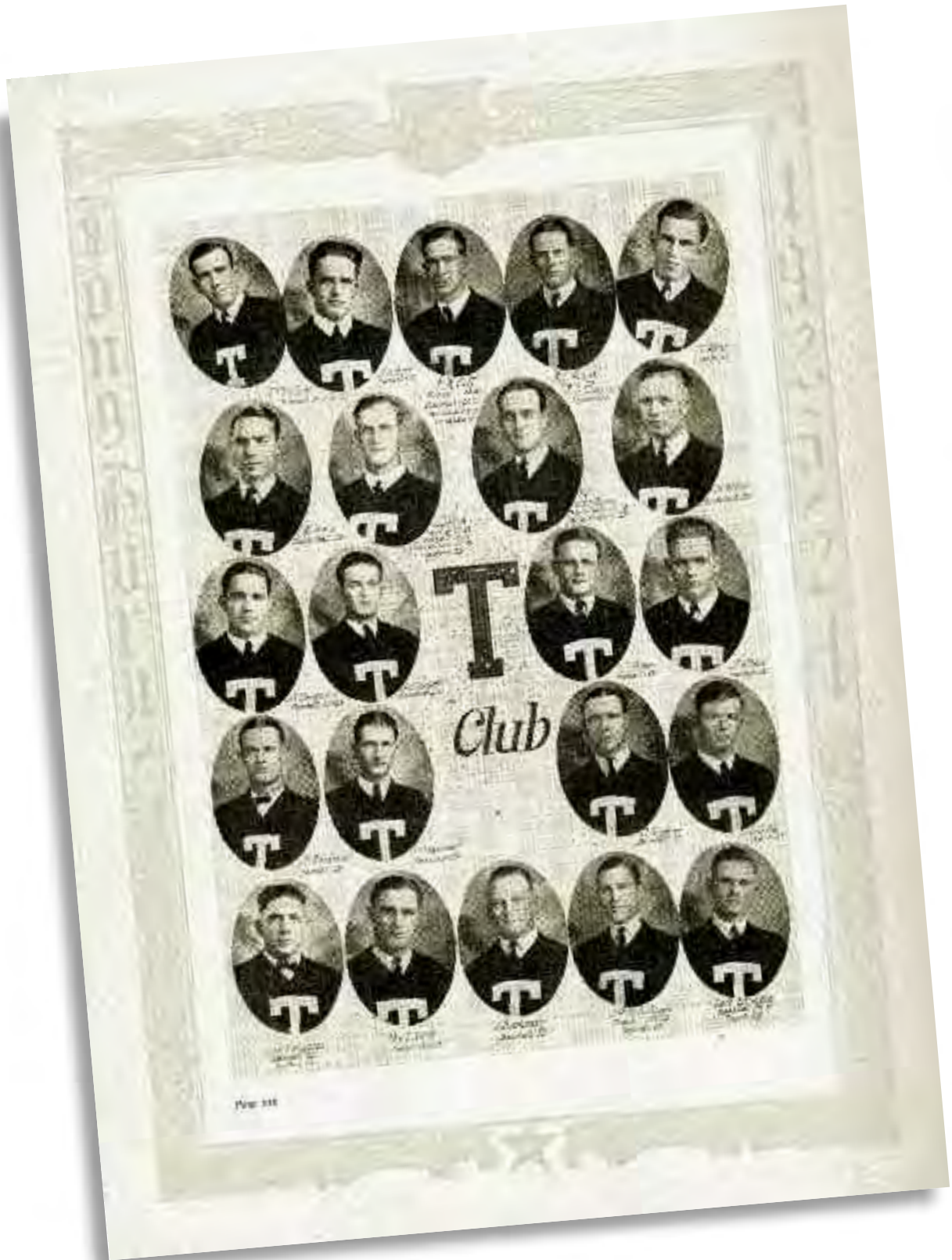
ROY G. NEELY, No. 23, Half.

Roy bled from the champions of Western Texas. Football was unknown in his home town, and he never touched a pigskin before he came to A. and M. Out of the green material, Bida has developed a star. He is among the best broken field runners in the conference, and on the defense, he shines like the polished iron. Neely is expected to "strut his stuff" and command conference-pick recognition.



**12<sup>th</sup> MAN**

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**The 1923-24 A&M lettermen's club. As a Senior, Gill (located in the middle of the top row of the above illustration) lettered only in basketball. Injuries prevented him from finishing the season in both football and baseball.**



**Max G. Greiner Jr., a 1974 A&M graduate, sculpted this bronze bust of Gill and donated it to Texas A&M in Nov. 1992. It is now displayed in the 12th Man Foundation office at Kyle Field.**



## 12<sup>th</sup> MAN

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## Dr. E. King Gill, the Original 12th Man at Texas A&M, Dies

By Randy Riggs

*The Corpus Christi Caller, Dec. 7, 1976*

ROCKPORT — The tradition lives on at Texas A&M but the original “Twelfth Man” — Dr. E. King Gill — died here today.

Gill died at his home following a sudden illness. He was 74.

The longtime Corpus Christi physician, who retired in 1972, was called out of the stands to fill in, if needed, during the January 2, 1922, Dixie Classic football game in Dallas against the favored Prayin’ Colonels of Centre College and the Twelfth Man tradition was born.

Beginning in 1939, when the Aggies marched to an undefeated, national championship season, Aggie students have been standing throughout all football games in a symbolic gesture of their willingness to enter the game if needed.

Over the years the story has been told countless times. Gill recounted it for the 1976 A&M football press guide.

At the time, Gill was a 165-pound sophomore. As it turned out, he never got into the game, which was won by the Aggies, 22-14.

“I am so sorry to hear about King’s death,” said Bible, who is now living in Austin. “I remember my association with him with so much pleasure.

“We had no idea that day about starting any legends,” the Texas coaching great added. “King was just starting his athletic career. He didn’t have any notion he’d be starting something that people would still be talking about.”

The Dallas native, who was born on New Year’s Day 1902, went on to a noteworthy academic and athletic career at A&M. He earned seven letters in football, basketball and baseball and eventually was voted into A&M’s Athletic Hall of Fame.

In 1941, a tune entitled “The Twelfth Man,” based on Gill’s deed was accepted by the Corps as the A&M school song.

“He turned out to be a very outstanding player,” Bible said. “He became one of the finest athletes Texas A&M ever had.”



Upon graduating from A&M in 1924 with a degree in engineering, Gill coached for one year then entered the Baylor School of Medicine. He began practicing (while in the military) in San Antonio in 1929 and moved to Corpus Christi in 1934.

Gill specialized in eye, ear, nose and throat diseases during his 36 years in Corpus Christi. When Hurricane Celia damaged his home in 1970, he moved to a waterfront cottage in Rockport and commuted between Corpus Christi and Rockport until his retirement two years later.

**DEAD  
SPACE  
WHAT  
SHOULD I  
PUT HERE?**

# THE LEGEND RETURNS

## AGGIE MUSTER April 21, 1964 College Station, Texas

*“You Aggies beat anything I have ever seen. We can establish a beach head on one of the islands out here and in a short time, there will be a sign stuck in the sand reading: ‘There will be an A&M meeting here tonight.’ ”*

— U.S. Army Officer  
World War II, The Pacific







# *E. King Gill's 1964 Muster Address*

COLLEGE STATION, TEXAS • APRIL 21, 1964

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Mr. President, distinguished guests, ladies and gentlemen, and fellow Aggies. No human being could be more humbled, more grateful and appreciative of this honor you have given me, coming from a student body that I love.

I recall the last year when I was in the Pacific during World War II. The group of officers that I was with were required to check the bulletin board at headquarters at least three to four times a day.

On one occasion, in the center of one (of the boards) was a notice, which read:

"There will be a meeting of A&M men in tent 202 at 7 p.m. tonight."

An officer standing beside me remarked: "You Aggies beat anything I have ever seen. We can establish a beachhead on one of the islands out here and in a short time, there will be a sign stuck in the sand reading: 'There will be an A&M meeting here tonight.'"

I think this demonstrates what other people think of Aggies. They may not particularly like us but they respect us.

I also took the advantage of a trip to Corregidor where one of our most famous and hallowed musters was held during the siege of the rock by the Japanese. This loyalty and dedication equals anything in our history. It is well that we should pause here and pay homage to these and other A&M men who have moved along the way.

I have talked to a number of A&M students and asked and wondered what I should say today. I received an answer from one of them (Pat Nance). "Tell us how the 12th Man tradition originated and how it and being a Texas Aggie have affected your life."

The first is easy to tell. The last more difficult.

The story of the 12th Man was originated by E.E. McQuillen about 1939-40 when A&M was enjoying



**Dr. E. King Gill became a successful ear, nose and throat doctor in Corpus Christi following World War II.**

its greatest football teams, one a National Champion. The school was asked to dramatize a football incident that would be suitable for radio. McQuillen thought of the incident when I was called out of the stands to take my place on the bench. It occurred in a post-season game on the day following New Year's Day 1922 — 42 years ago.

The place was Dallas and the old wooden stadium,



seating about 10-12,000, was near where the present Cotton Bowl is located. The teams were Texas A&M, champions of the Southwest Conference, and Centre College, who had won ten games and was considered the national champions.

They (Centre College) boasted of three all-Americans on their team, a rather unheard of thing during this time.

The game had several unusual aspects. It was the first post-season game in the Southwest. It was to produce the publicity to make the conference recognized over the United States. And it was the beginning of the 12th Man tradition at A&M.

I had been a substitute on the team during the year but had left the team after Thanksgiving to give my time to basketball. I didn't think I had a chance to play.

In those days the team dressed in a downtown hotel and rode to the stadium in cabs. I lived in Dallas and was home for Christmas. It was quite easy for me to ride to the stadium (with the team) and get inside. Anyway, I didn't have the \$3.00 admission.

After we were in the stadium and on the bench, I was asked by Jinx Tucker (of the Waco newspaper) to spot players from the stands. And that is how I was up in the student body.

During the first half, A&M received so many injuries that it appeared we would not have enough men to finish the game.

So I was called from the stands.

I went under the wooden stands, no dressing room mind you, and took off my civilian clothes and put on an injured player's uniform (Heine Weir's).

From there I took my place on the bench to remain there to be used if it was necessary.

This is the true story of the 12th Man.

How has it affected my life and emotions? For one thing it has made me feel humble and proud to think that I might represent the finest body of young men in the U.S.

Any one of them could be the 12th Man, but he must be ready to stand and fight for the things that are right and the traditions of this country and school. It has made me a better man and a better doctor. And last, but not least, a more responsible citizen.

It has, on a lighter side, made me the prime target for the many A&M jokes that came along.

It is my sincere hope that there will always be the Muster, and there will always be a Cadet Corps at A&M. Without it, there will be no A&M. For within it are found many of our most precious and hallowed traditions.

As we reach into the future, it is well that we remember the past. May we be dedicated to turning out A&M men of high caliber — dedicated and responsible leaders.

May this be our aim. We must not fail.



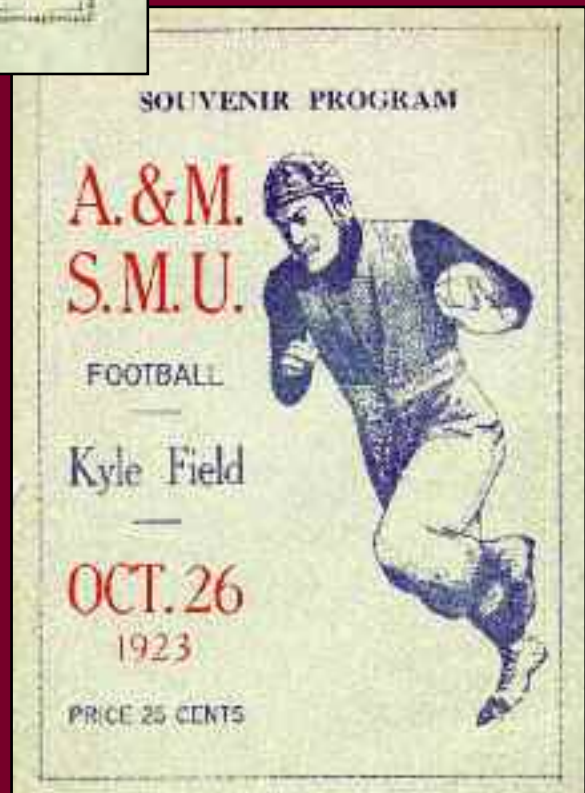
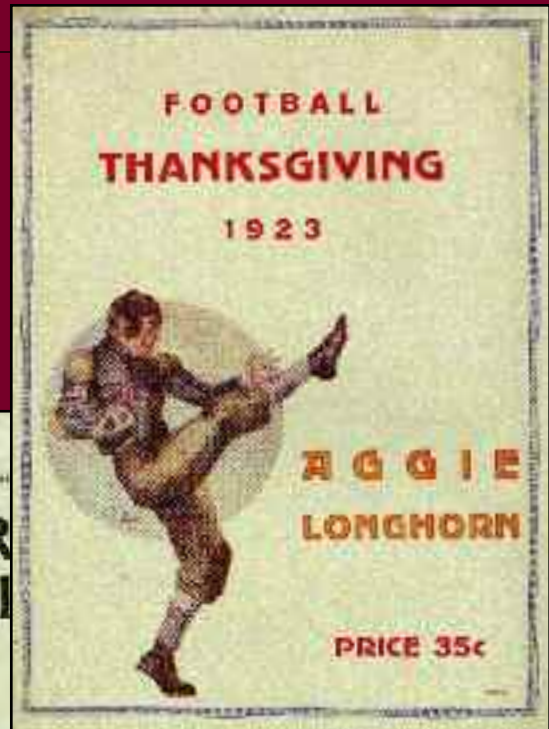
**The Corp of Cadets band parades through the A&M campus during the early 1920's.**

# TWO GAMES *to* REMEMBER

*The 1922 Dixie Classic*  
**Texas A&M vs. Centre College**

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**1922 Texas A&M vs. Texas**





# Aggies Upset Moran's Prayin' Colonels in Dixie Classic

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**Centre halfback Terry Snoddy pounds the middle for three yards and a third-quarter touchdown that gave the Prayin' Colonels a 7-2 lead. Centre would play three games against Texas opponents during the first week of January 1922.**

**DALLAS, JAN. 2, 1922** — As the new year of 1922 arrived, there were distinguished players on the collegiate football scene whose presence would amaze the modern fan.

Prominent among these were two small schools whose moment in the sun burned out long ago, its glory steadily dimming with the passing years, their energy spent in the arena of “major college” football. Today, they muster a combined enrollment of 2,100 students, competing happily at the Division III level.

But once, they were giants . . . and as the calendar turned to a new year, they occupied center stage, participating in a pair of notable “upsets” in the relatively new realm of the college bowl game.

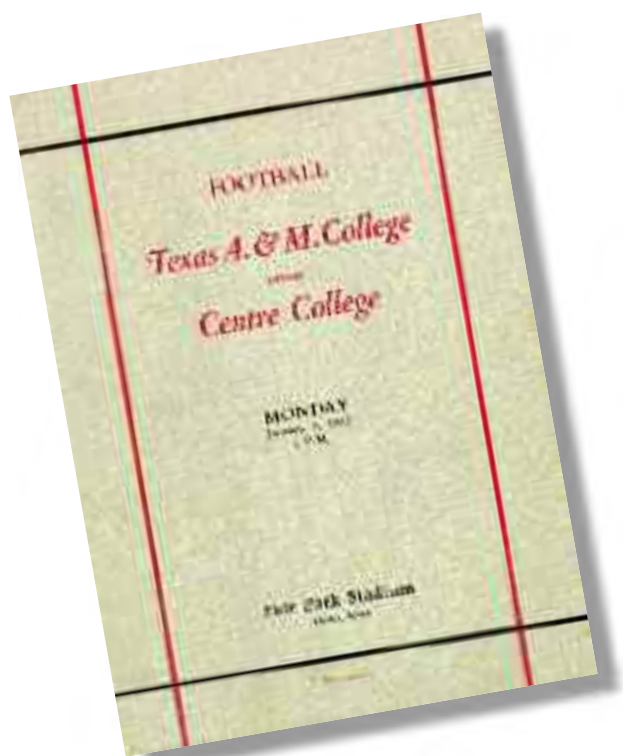
One of these — a small school with a big-time team located 25 miles southwest of Pittsburgh —

<b>Centre</b>	<b>0</b>	<b>0</b>	<b>7</b>	<b>7</b>	<b>— 14</b>
<b>Texas A&amp;M</b>	<b>2</b>	<b>0</b>	<b>14</b>	<b>6</b>	<b>— 22</b>

was Washington & Jefferson, good enough in 1921 to be invited to the Rose Bowl as the nominal “champion” of the East.

On New Year’s Day in Pasadena, the Presidents stunned the football world by playing a scoreless tie with the mighty University of California, then in the midst of its “Wonder Team” era under Andy Smith.

The Golden Bears, who had smashed Ohio State in the previous year’s game, were sufficiently soured by the event that they turned down invitations the next two years, despite having unbeaten teams that were clearly the class of the West. For W&J, it was essen-



tially a matter of cramming an entire football legacy into one afternoon.

The next day, another well-traveled visitor from the East showed up in Dallas, but with a distinct twist — in this instance, the guest team from the small college was a national titan, and heavily favored. And if the “Prayin’ Colonels” of Centre College were concerned about the possibility of an upset, the fact was not readily apparent.

The team that faced Texas A&M that day in the newly-formed Dixie Classic was experiencing its own “Wonder Era,” — a stretch from 1917 through 1924 under former Aggie coach Charley Moran in which the Colonels went 55-8-2 and knocked off some of the best teams in the country. Although based in Danville, Ky, they viewed the entire football world as their stage, and became — for a time — almost as renowned as Notre Dame.

Led by three All-Americans, the 1921 team had demonstrated its brilliance from the Northeast to the Southwest and various points in between, and was considered to be the strongest of Moran’s many great teams. It rolled into Dallas at 10-0, having outscored its foes by a 323-6 margin.

The campaign was highlighted by an October visit to Cambridge, Mass., where the Colonels defeated Harvard, 6-0, in a game that for decades was considered the greatest upset in college football history. It

made Moran’s team — which had been known as the “Prayin’ Colonels” since a 1919 upset of West Virginia — the toast of the nation.

The Centre touchdown that day was scored by quarterback Alvin (Bo) McMillin, one of the team’s trio of All-Americans, along with end Red Roberts and center Red Weaver. He was also one of several players Moran had recruited from Texas, and specifically from the Dallas and Fort Worth area.

In an earlier version of the “Dixie Classic” played the previous year in Fort Worth, the Colonels had rolled over an unbeaten TCU team, 63-7.

The ’21 Aggies, coached by Dana Xenophon Bible, were champions of the Southwest Conference and were expected to give Centre a tougher battle than TCU (not yet a SWC member) had the year before. Few were expecting an upset victory, however.

Led by Puny Wilson, Cap Murrah, Sam Sanders and Bull Johnson, the Aggies were noted more for toughness than brilliance — and at 5-1-2 overall were not considered as good as the unbeaten teams Bible had coached in 1917 and 1919. They had lost to LSU and tied Rice, but earned the “bowl” trip in a gritty 0-0 battle with a Texas team that had averaged better than 30 points per game.

Nowhere in the pre-game accounts was there any mention of E. King Gill, a sophomore substitute who in fact had been released from the A&M football team after the Texas game so he could concentrate on basketball, which was considered his better sport. Most accounts of the Aggies leading up to the game centered on players lost to injury.

For the Aggies, the game was an unexpected post-season bonus and an opportunity to test their mettle against a nationally-renowned team that would have been highly ranked, had such things existed at the time.

For the Colonels, it was part of a great barn-storming tour.

Warming up for the Aggies, the Colonels journeyed to San Diego, where they crisply dispatched the University of Arizona, 38-0, on the day after Christmas. It was their 14th straight victory, dating back to the previous season.

It seemed that the only impediment to the Colonels’ relentless march to perfection came when their bus was trapped in a mudslide, delaying their arrival in Dallas by a day.

They arrived, however, like a regiment returning triumphantly from the war. With seven Texans on

**12<sup>th</sup> MAN**

**Bo McMillin, the all-American quarterback of the Prayin' Colonels, heads for a hole off left tackle in the first half against the Aggies.**

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the squad — including three from Fort Worth and two from Dallas — they became an instantly popular daily news item.

The Dixie Classic was the first of three games the Centre team — or part of it — played during the first week in January. McMillin, who had reportedly turned down an offer as a player-coach with George Halas' Canton Bulldogs, had accepted the head coaching job at Centenary. He tested his coaching skills later in the week with all-star games against teams from Fort Worth and San Antonio, splitting a pair of 7-0 decisions.



Although there had been the earlier game in Fort Worth, it was hoped that the 1922 Dixie Classic, played at the new 10,000-seat Fair Park Stadium, would, as one news account put it, “mark the beginning of an annual game between a representative of the Southwest Conference and an undefeated team that has established its importance during the season. It is hoped that this game will provide the prelude to an annual game that may eventually rival Pasadena.”

As it was, the game was

**1921 Aggie captain Heine Weir gave Gill his uniform to wear during the second half of the Dixie Classic.**

described as being “the greatest intersectional game ever played in this section of the country.”

It was also hoped that the Aggies would not be “stage struck” by their famous foes.

Others were, evidently. One account of the visitors' style of play noted that Centre's backs “have perfected the technique where, once through the line, they cut back in the opposite direction from which they entered the line. This play dazed TCU in last year's game.”

The Aggies were undazed, but not exactly in the pink of health. Starting fullback Harry Pinson and two other backs were already out with broken bones, and numbers were growing thin.

Prior to the game, Bible said that he had not bothered to scout Centre, but had seen the TCU game the previous year and was acquainted with the Colonels' style of play. Moran announced that his team was “in good condition and eager to play the game.”

Interspersed with glowing pre-game reports were solemn commentaries on the excesses of college football, and the possible danger bowl games represented to the fabric of American life.

All of which was perhaps representative of a rather quirky moment in time. America had just won the “war to end all wars,” and celebrated the event with a prohibition amendment doomed to drown in a sea of bootleg booze in the “Roaring Twenties.”

The week of the game, a local newspaper wit advised his readers to skip the preliminary stages in the production of corn liquor and “just eat charcoal tablets.”

A small community west of Fort Worth was stunned to discover the presence of a Ku Klux Klan chapter in its midst. The discovery came to light





**Bo McMillin, the three-time all-American half-back from Fort Worth, Tex., led the Prayin' Colonels to a 10-1 record in 1921, which included a 6-0 upset of Harvard. McMillin was married the morning of the A&M-Centre game.**



**Charley Moran posted a record of 38-8-4 in six seasons at Texas A&M, including three wins over the Texas Longhorns in four attempts. He later led Centre to a 55-8-2 record in 1917-24.**

when the chapter mailed a \$100 donation to a local charity.

Finally, there was a published report claiming that "American Indians" had scalped 378 Germans during the war.

Although records on such matters are sketchy, it seems a fairly sure bet that the 1922 Dixie Classic was the only bowl game that began with a wedding.

Actually, the nuptials took place 30 miles away on the morning of the game. McMillin, the three-time all-American and former star at Fort Worth's North Side High School, returned to his hometown to marry his childhood sweetheart, Maud Marie Miers. Following the Catholic ceremony, the couple drove to The Adolphus Hotel in downtown Dallas for a wedding breakfast.

About the time that was finished, the Aggies were gathering in another downtown hotel, dressing for the game — there were no dressing rooms at the stadium — and preparing to take cabs to the game.

Among them was E. King Gill, the sub from Dallas who had made the trip to catch the game and combine it with a few days visit home. On the morning of the Jan. 2nd, he joined his teammates so he could ride one of the cabs into the stadium — since he didn't have the \$3 admission fee.

And so, separated by a few city blocks, two athletes

on a course with destiny prepared for the game.

Easily the game's marquee attraction, McMillin was destined to play well in a losing cause and went on to a distinguished coaching career, in both the college and professional ranks. By the time he died of cancer in 1952, his presence in the Dixie Classic had been largely forgotten. But the great upset of Harvard remained a famous moment in history, and a grainy photo of him scoring the winning touchdown is an enduring part of college football lore.

Gill was destined to not play at all. But his contribution that day is the basis of one of the greatest of A&M's traditions, and the reason why the game has become burned into the collective memory of succeeding generations of Aggies.

When the game began, he was in the press box, spotting for Jinx Tucker, the sports editor of the Waco newspaper. Standing on the sideline were Bible and an injury-depleted squad of 18 Aggies, preparing to face one of the most feared juggernauts in the land.

Although the prospects were not cheery, Gill later recalled telling Tucker he thought there was a possibility "that we could give them a pretty good game today." Whether through sympathy or conviction, Tucker agreed.

So, the small band of Aggies on the field was now backed by two prophets in the press box.

**12<sup>th</sup> MAN**

**D.X. Bible's 1921 Aggies won the Southwest Conference crown with a 6-1-2 record. It was A&M's third straight SWC title. Gill (pictured on the second row, sixth from left) was a backup full-back.**

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The Colonels' first inkling that perhaps it wasn't going to be their day came quickly, when the Aggies punted at the end of their first possession.

Rather than letting the punt go for a touchback, Centre's Tom Bartlett caught the ball at his 1-yard line and circled back into the end zone to find running room.

Instead, he found Puny Wilson, who promptly nailed him for a safety. With only a few minutes elapsed, A&M led, 2-0.

That, as it turned out, concluded the scoring in the first half. But not the action.

In later years, the chronicle of A&M injuries would roll crisply off Gill's tongue, laying down the steps that led to his improbable appearance on the field: Sammy Sanders knocked cold, captain Heine Weir out with a leg injury, Bull Johnson and quarterback Bugs Morris carried off the field. Capping it off, T.J. Miller, who had boomed the punt that resulted in the safety, was also wounded.

For a team held to zero points in the first half, Centre was rolling up quite a score. But the carnage was not one-sided.

Red Roberts, going head to head with Wilson, was hobbled with a knee injury that hampered his mobility. According to one account, his frustration finally led him "to discard his Roman chariot driver headgear, but he was still heavy on his feet."

In the second quarter, while the Aggies bled, the Colonels marched.

During the opening period, Weir had gone out with a leg injury, and Morris removed "in great pain," according to one account. A more costly episode occurred in the second quarter, when McMillin punted deep into A&M territory.

Sanders fumbled the punt, then scrambled after the loose ball. Also scrambling for it, according to the game account, was Centre halfback Terry Snoddy, who "kicked Sanders in the head" rendering him unconscious. Centre recovered the ball at the A&M 20.

On the next play, the Aggies were penalized for holding, and the ball was moved to the five-yard line.

McMillin was stacked up for no gain on first down, and James Roberts met the same fate on the next play. But on third down, Snoddy smashed down to the one. On fourth down, McMillin hurled himself toward the goal line, and the A&M line rose to meet the challenge. When the play was untangled, the ball rested six inches short, and the Aggies took over.

After a punt, McMillin threw to Herbert Covington at the A&M 15, and on the next play, Snoddy got a yard.

McMillin then ran for four yards, but Sanders, back in the game, hit him at the 10, causing a fumble. A&M recovered, saved again.

Once again, A&M punted and the Colonels stormed back. This time, the threat ended when Sanders intercepted a McMillin pass. At the half, Bible



**Texas A&M's three-time All-SWC guard, W.E. (Cap) Murrah.**

had two words of wisdom for his team: "Hold 'em."

During this sequence, all of the injured A&M players had returned to the game. But according to an account in the Fort Worth newspaper, "the heat of battle had begun to take its toll, and Aggie coach D.X. Bible called Gill from the press box to respond to an emergency."

It was Gill's later recollection, however, that he was called down from the press box early in the third period, by which time matters had significantly worsened. Weir was now out with a broken leg, and Morris was carried from the field "with one leg dangling."

In any case, Heine Weir's uniform was soon standing next to Bible on the sideline, with E. King Gill inside of it. He thus had a ringside seat at a great upset.

Another threat by the Colonels was stopped, but then A&M fumbled near the 35, and Centre fullback "Humpty" Tanner picked it up and ran it down to the three. On first down, Snoddy ran it in, and Centre led, 7-2.

Then, the Colonels unraveled.

Centre received the kickoff — an option in that era — but Covington was hit at the 30 and fumbled, and A&M recovered. On the next play, the Aggies struck.

It wasn't exactly a statue of liberty, and it wasn't quite an end-around, and it probably wasn't really a flea-flicker. But it wasn't anything Centre could defend.

In all, four Aggies touched the ball, the last being Wilson — who took a pass from Miller at the 15 and ran into the end zone for a 9-7 lead.

It grew, quickly. On the third play after the kickoff, Tanner fumbled and A&M recovered at the Centre 25-yard line. Wilson capped the drive by circling right end for five yards and a 16-7 lead.

Early in the fourth period, McMillin was hit and tried to shovel the ball to Tanner as he was going down. Ted Winn intercepted and ran 45 yards into the end zone, and it was 22-7.

McMillin threw a late scoring pass to Covington to make the final score 22-14, but it hardly mattered.

Battered and bloody, but never broken, the Aggies had pulled off an upset that stunned the "experts" from coast to coast. But in the long march of time, they would become immortals because of the lone substitute on the sidelines, who stood that day — never needed, but always ready.

Although it took nearly 20 years for the legend of "The 12th Man" to fully develop, the Aggies' resounding victory created an immediate stir. One newspaper headline reported that the game had "Put Texas On The Grid Map," and another announced that "Texans Now Believe in Santa Claus."

Correspondents returning from the national football meetings later in the month reported "a newfound interest in and respect for the Southwest Conference." Within five years, there would be three SWC players — including A&M's Joel Hunt — on the West squad in the prestigious East-West Game in San Francisco.

But perhaps a line the next day from one of the writers covering the game said it best: "This was a day Texans will be proud of for a long time."



# Gill Leads Aggies to 14-7 Upset of Longhorns

By The Associated Press

44



**Gill, fleeing from a Longhorn tackler, scored one touchdown and set up the Aggies' other TD against their rivals at Austin's Clark Field.**

**AUSTIN, NOV. 30, 1922** — Dana Bible's Texas A&M Aggies, who have seen both suffering lows and wondrous highs on conference gridirons this season, twisted their wry record into glory this afternoon in the biggest upset of the season when they defeated one of the best Texas teams ever to step onto the greenswad, 14-7.

A crowd of 22,000, the largest ever to see a football game in Texas, packed Clark Field to watch this storied contest.

The Aggies not only dimmed the glory of the Orangemen's season, but their victory also presented an undisputed Southwest Conference title to Baylor.

The Aggies did not fight with their backs to the wall, but instead carried the battle to the Longhorns. This rugged determination, which produced two

<b>Texas A&amp;M</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>7</b>	<b>—</b>	<b>14</b>
<b>Texas</b>	<b>0</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>—</b>	<b>7</b>

winning touchdowns, turned a drab season into immortal color for A&M fans.

E. King Gill, the Oak Cliff youngster who won his spurs as a starter at fullback when F.K. Buckner was injured, and T.L. (Silent) Miller, the lank halfback, were the key factors in the Aggies' win. Two passes from Miller to the Oak Cliff speedster resulted in one touchdown and set up another.

The story of the game's three touchdowns scored by both Texas and the Aggies is a brief one.

Taking advantage of a lucky break in the opening minutes of the game, when A.J. Evans recovered



45

**A&M halfback T.L. Miller (middle) slices over left tackle for a two-yard gain in the fourth quarter to move the Aggies to the Texas 2-yard line. Bill McMillan scored on the next play.**



**The A&M sideline during the 1922 Aggies-Texas battle at Clark Field in Austin.**



**12<sup>th</sup> MAN**

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**The Aggies and Texas battle in 1922. It would be A&M's last win in Austin until Paul (Bear) Bryant's 1956 squad defeated the Longhorns, 34-21, in Memorial Stadium.**

O.G. Eckhart's fumble on the Texas 21, the Farmers would score in three plays — on a fumble, a dive and an 11-yard pass from Miller to Gill, who skirted the Longhorn defense for the touchdown. Bugs Morris' extra-point kick gave A&M a 7-0 lead.

The Longhorns would tie the score at 7-7 before halftime.

At the end of the first quarter, Ivan Robertson intercepted an Aggie pass at the Orange 39. The Longhorns swept down the field on a series of dive plays and short passes but the drive was stopped at the Aggie 2.

A&M was unable to move the ball and the referee had to move the crowd back to allow Miller the opportunity to punt from deep inside his end zone. Miller booted it beautifully to Robertson at the Texas

47, who returned it nine yards to the Aggie 44. Lane Tynes and James Marley moved the ball to the Aggie 11 in two plays, with Tynes slashing 20 yards and Marley for 13. In four plays the Longhorns scored, with Marley slamming over the touchdown. Robertson's point-after kick evened the score at 7-7.

But if a lucky break had helped the Aggies to their first touchdown, there was only a minor element of it in the drive which gave the Aggies the winning score. With dusk closing in over the field and a stiff south wind in their faces as they opened the fourth quarter, the Farmers slashed and passed their way from the Aggie 35 downfield to the Texas goal line.

Miller, Gill and Bill McMillan combined to move the ball to the Aggie 45. Gill added five yards and Miller punched for four more. A key 2-yard penalty



## TEXAS A&M Wins in Austin

<u>YEAR</u>	<u>SCORE</u>	<u>SEASON RECORD</u>
1902	12-0	7-0-2
1909	5-0	7-0-1
1922	14-7	5-4-0
1956	34-21	9-0-1
1976	27-3	10-2-0
1980	24-14	4-7-0
1984	37-12	6-5-0
1986	16-3	9-3-0
1988	28-24	7-5-0
1992	34-13	12-1-0
1994	34-10	10-0-1
2006	12-7	9-4-0



against Texas for interference gave A&M a first down at the Texas 44.

A 15-yard pass from Miller to Gill was the key play in moving the ball to the Texas 4. Miller hit the middle for two yards and a Texas penalty moved the ball to the six-inch line. McMillan's off-tackle dive gave the Aggies the touchdown. FW. Hannah's point-after kick increased A&M's lead to 14-7.

There were no serious threats by either team after that. If Texas had succeeded on their initial drive to the Aggie 2, it may have been enough to have given the Longhorns a victory. But a short pass — Robertson to Eckhart — failed to get the Longhorns across the Aggie goal line.

In the third quarter, Gill recovered a Texas fumble at the Orangemen's 24 but were unable to score.

An Aggie punt return on the next series brought the ball up to the Texas 20. But Hannah's field goal attempt from the 25-yard line was unsuccessful.

Texas had its last opportunity to take the lead late in the third quarter when Joe Moore recovered H.W. Knickerbocker's fumble of a punt at the Aggie 31-yard line. After three line plunges, Robertson gamely booted a field goal from the 37-yard line with the wind against

**D.X. Bible coached A&M for 11 seasons, with a 72-19-9 record. His Aggie teams won a total Of five Southwest Conference championships.**

him. But the kick fell short and Miller gathered it in at the Aggie 5 and raced 20 yards upfield.

The ghost of the Longhorns' hopes quickly disappeared after that futile try. The Aggies then marched on to victory.

Aggie squads that rise to greatness in these stirring finishes with Texas usually produce one or more outstanding figures. Today it was Bull Johnson, the great lineman, who made most of the Aggie tackles, and Gill with his memorable catches.

The contest began after a rousing hour of cheers and music from the visiting Aggie band. Texas students then marched on to the field, two students deep, and formed a "T" at midfield. As they left, the students dropped orange confetti, leaving the "T" outlined on the field.

Then at 2:55 p.m. the captains gathered at midfield for the coin toss, while the stands broke out in singing *The Eyes of Texas*. Afterward, the Aggie band sounded taps to the mournful notes of a single silver bugle.

**12<sup>th</sup> MAN Gill Varsity Football Record**

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**1921 SEASON  
SWC Champions  
(6-1-2, 3-0-2 in the SWC)**

Sept. 30, 1921	Howard Payne	College Station, Tex.	W	14-7
Oct. 12, 1921	SMU	Dallas, Tex.	W	13-0
Oct. 15, 1921	LSU	Baton Rouge, La.	L	0-6
Oct. 21, 1921	Arizona	College Station, Tex.	W	17-13
Oct. 28, 1921	Oklahoma A&M	College Station, Tex.	W	23-7
Nov. 5, 1921	Baylor	Waco, Tex.	W	14-3
Nov. 11, 1921	Rice	Houston, Tex.	T	7-7
Nov. 24, 1921	Texas	College Station, Tex.	T	0-0
Jan. 2, 1922	Centre College	Dallas, Tex.	W	22-14
				<b>110-57</b>

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**48****1922 SEASON  
(5-4-0, 2-2-0 in the SWC)**

Sept. 29, 1922	Howard Payne	College Station, Tex.	L	7-13
Oct. 10, 1922	Tulsa	Dallas, Tex.	L	10-13
Oct. 14, 1922	Southwestern	College Station, Tex.	W	32-0
Oct. 20, 1922	LSU	Baton Rouge, La.	W	47-0
Oct. 27, 1922	Ouachita College	Dallas, Tex.	W	19-6
Nov. 4, 1922	Baylor	Waco, Tex.	L	7-13
Nov. 11, 1922	SMU	Dallas, Tex.	L	6-17
Nov. 18, 1922	Rice	College Station, Tex.	W	24-0
Nov. 30, 1922	Texas	Austin, Tex.	W	14-7
				<b>166-69</b>

**1923 SEASON  
(5-3-1, 0-3-1 in the SWC)**

Sept. 22, 1923	Sam Houston SC	College Station, Tex.	W	53-0
Sept. 28, 1923	Howard Payne	College Station, Tex.	W	21-0
Oct. 5, 1923	Southwestern	College Station, Tex.	W	13-0
Oct. 13, 1923	Sewanee	Dallas, Tex.	W	14-0
Oct. 20, 1923	LSU	Baton Rouge, La.	W	28-0
Oct. 26, 1923	SMU	College Station, Tex.	L	0-10
Nov. 3, 1923	Baylor	Waco, Tex.	T	0-0
Nov. 18, 1923	Rice	Houston, Tex.	L	6-7
Nov. 29, 1923	Texas	College Station, Tex.	L	0-6
				<b>135-23</b>



*The spirit of the 12th Man comes to life on  
autumn Saturdays at Texas A&M's Kyle Field.*



# 12 *to Remember*

## *Texas A&M's All-Time Greatest Wins*

Undefeated, untied, un-scored upon

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Sugar Bowl, National Champions

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**Roswell Higginbotham dives for a touchdown against Texas. The win gave the Aggies a 10-0 record and a claim on the national championship.**

## Aggies' 2nd Quarter TD Defeats Longhorns

By the Houston Chronicle

**COLLEGE STATION, NOV. 27, 1919** —

The Texas Aggies defeated Texas, 7-0, this afternoon in a hard-fought battle, scoring in the second quarter. During the second half, both teams attempted to move the ball through the air, but were unable to score.

A&M tried to get on the scoreboard first with a field goal attempt from the Texas 38 in the first quarter. The kick failed due to a bad snap from center. A Texas fumble later gave the Aggies a second chance at the Texas 30.

A&M drove down to the Texas 2 but a pair of holding penalties by both squads near the goal line slowed the scoring drive.

<b>Texas</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>—</b>	<b>0</b>
<b>Texas A&amp;M</b>	<b>0</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>—</b>	<b>7</b>

On the first play of the second quarter Roswell Higginbotham rammed the ball over for the game's only touchdown.

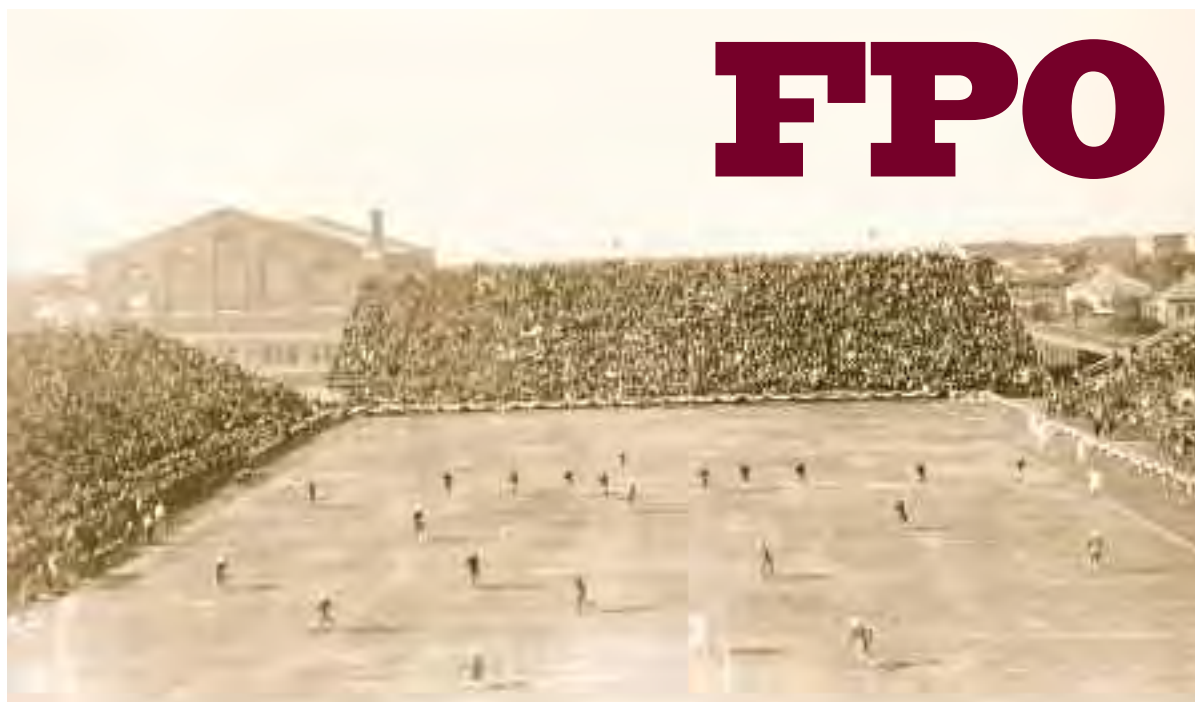
Higginbotham then added the extra-point kick to put A&M ahead, 7-0, for good.

The Aggies later drove to the Texas 30 before half-time, but a failed field goal kick ended the drive.

The Longhorns managed to reach the A&M 20 near the end of the third quarter on a pair of passes, but the drive stalled after a failed pass into the end zone.

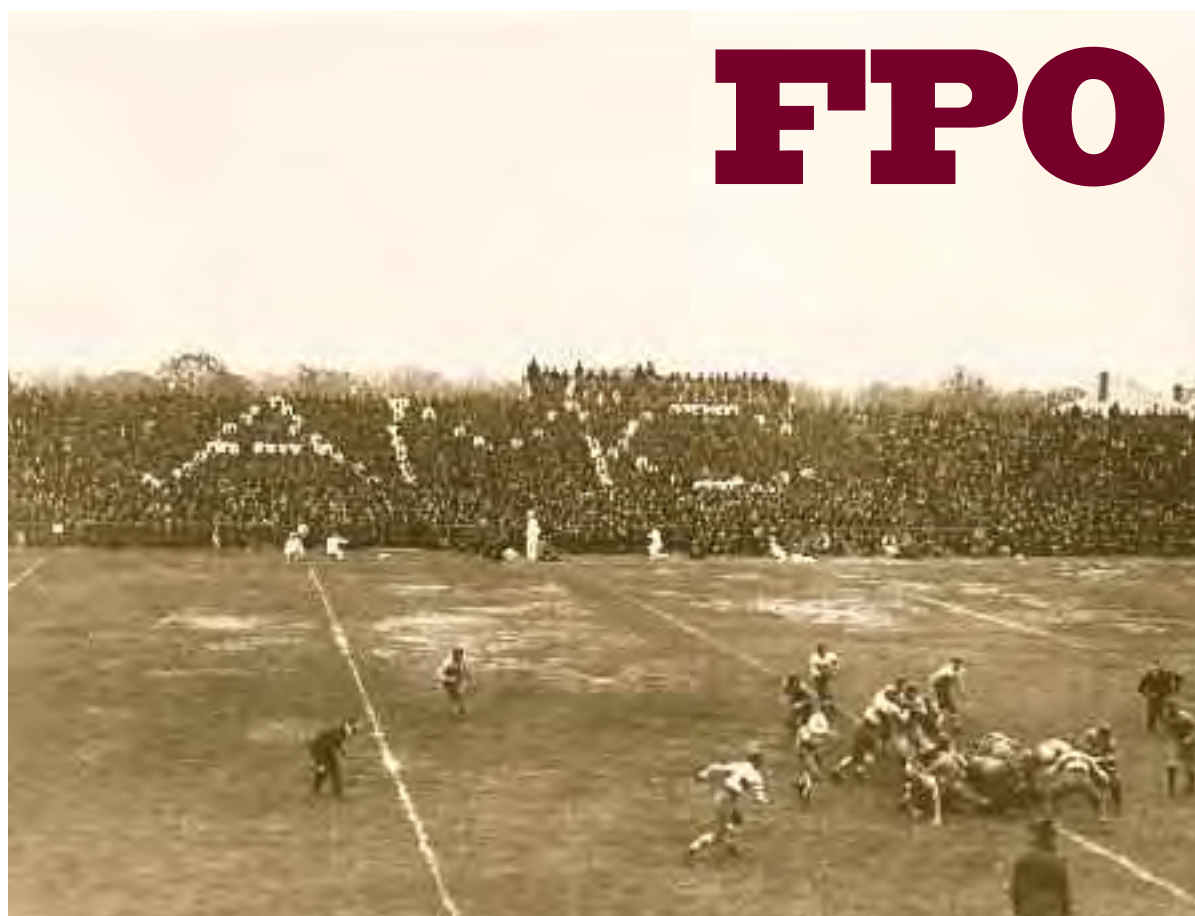
The remainder of the game was a series of failed drives and punts.

*1919: Aggies vs. Texas*



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**A packed crowd filled Kyle Field for the 1919 meeting with the Longhorns. A&M's 7-0 win against UT would give them a 4-0 record in the Southwest Conference and the league crown.**





## **Dana X. Bible: Builder of Champions**

**By Bill Little**

The legacy of Dana Xenaphon Bible at Texas A&M University combines the greatest traits of a man with those of the university he served — loyalty and integrity. The result was unparalleled success.

In the words of Joel Hunt — one of his greatest players at Texas A&M — Bible was “Confident as a banker, astute as a schoolmaster, poised as a preacher, and expressive as a salesman.”

From 1917 through 1928 (excluding 1918 when he was in the Army in World War I) Bible’s teams won five Southwest Conference championships. He would go on to continue his distinguished career at Nebraska (1929-36) and Texas (1937-46), and would earn recognition as one of the great coaching legends in all of college football.

He stood 5 feet, 8 inches tall, but walked as a giant in a career that covered much of the first half of the 20th Century.

Born in Jefferson City, Tenn., Bible graduated from his hometown school of Carson-Newman College. He was the son of a classics teacher, and he brought an intellect and a class to the growing game of football when he started his coaching career at Brandon Preparatory School in Shelbyville, Tenn., in 1912.

A year later, he was in college coaching for good, working at Mississippi College in Clinton, Miss. for two years. He was named freshman coach at Texas A&M in 1916, but his time in College Station would be delayed. Under an agreement between Texas A&M and LSU, Bible was “loaned” to the Tigers to assist during 1916 season. But he wound up taking over as head coach for the final five games. He guided them to a 3-0-2 record, and despite pleas to stay, Bible chose to honor his commitment to Texas A&M and returned to College Station as the head football coach in 1917.

Success was sudden, and domination was complete. Bible’s first two Aggie teams — in 1917 and 1919 — were not only unbeaten, they were unscored on. Over his 11 years at Texas A&M, Bible’s teams would post a record of 72-19-9, a winning percentage of 76.5 — the best mark for an

Aggie coach until the 1990’s success of R. C. Slocum.

Bible was a member of the first class ever elected to the National Football Hall of Fame (1951), and he served as a member of the National Collegiate Football Rules Committee for 27 years. He was also a charter member of the American Football Coaches Association, and served as its president in 1934. In all of his 33 years of coaching, his teams won 201 games, lost 74, tied 23 and claimed 14 conference championships.

His 1917 Aggie team outscored opponents, 270-0, in its eight-game season, and his 1919 team won 10 games, scoring 275 points to none for its opponents. His 1927 team, with Joel Hunt as one of the stars, is still considered one of the best in the history of the Southwest Conference, carving an 8-0-1 record — with only a 0-0 tie with TCU denying Bible his third undefeated season at College Station.

But for all of his great seasons and big wins, Bible will be remembered best for two games that fell in the calendar year of 1922.

Bible’s 1921 Aggie team had won the Southwest Conference despite two season-ending ties with Rice (7-7) and Texas (0-0), and they were invited to play in the 1922 Dixie Classic Bowl Game in Dallas on January 2. Centre College — a powerhouse in the early days of college football — was unbeaten and coached by Charley Moran, who had been dismissed at Texas A&M after the 1914 season.

Given the lateness of the game and an inordinate number of injuries during the season, Bible took only 18 players with him to Dallas. By halftime, seven more injuries sidelined players, so that Bible was left with only 11 men to complete the game.

It was then that he made one of the most memorable moves in Aggie history.

Recalling that King Gill — a reserve halfback who had been excused from football to play basketball after Thanksgiving Day — was in the press box that day working as a spotter for Waco News-Tribune Sportswriter Jinx Tucker, Bible summoned him. Gill, at Bible’s instruction, went under the stands and put on the uniform of one of the injured players, and he stood ready for action in the second half — which





**A&M Football Coach D.X. Bible (right) tutors Jack Mahan during practice in 1920.**

ironically never came.

The Aggies won that day, 22-14, and Gill was never needed. But the fact that he was available and willing inspired the treasured “Twelfth Man” tradition. It was the beginning of a pledge that has lasted almost 80 years. To this day, Aggie students and their dates stand throughout every football game, indicating that every member of the student body is willing to volunteer for duty if needed.

Years later, Bible would recall the incident, wishing that he had put Gill into the game.

“It would have made a better story,” said Bible. “But I never thought about it at the time. He hadn’t played in so long, I didn’t think it would have been fair to him. He was ready if needed, and that was all that mattered.”

Gill would go on to athletic success of his own, earning all-SWC honors as a basketball player, and admittance to the Texas A&M Athletic Hall of Fame.

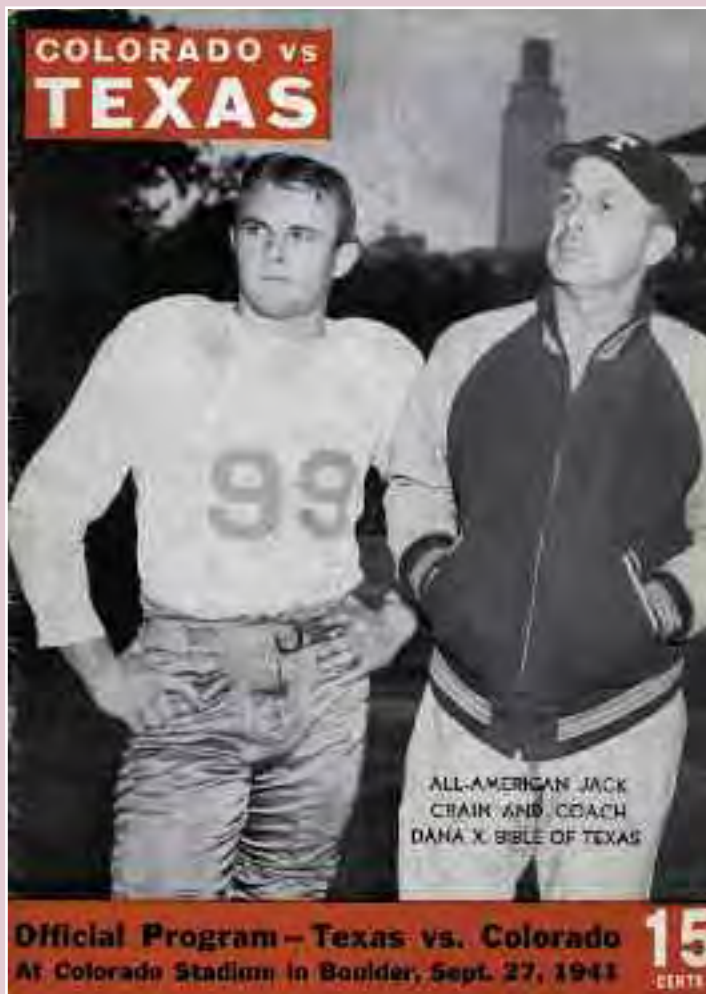
The conservative image of the diminutive man belied a tiger inside, and Bible best showed that on Thanksgiving Day in 1922.

Never in the eight year history of the Southwest conference had an Aggie team been able to beat Texas in Austin, and the game was tied, 7-7, at halftime.

Bible dug as deeply as one could into Texas history with his intermission speech, recalling a strategy credited to Col. William B. Travis in defense of the Alamo. History says Travis drew a line in the dirt with his sword and invited all who wanted to stay and fight for Texas independence to step over the line.

Bible, after the customary instructions, paused, and began his speech. Quiet at first, and then with the strong voice that would so be associated with him, Bible spoke of “how you would want to be remembered.”

With his shoe, he drew an imaginary line on the dressing room floor, and challenged his troops,



**D.X. Bible coached A&M for 11 seasons, with a 72-19-9 record. He later coached at Texas (1937-1946), leading the Longhorns to 3 SWC Crowns and a 63-31-3 record.**

“Those who want to go out and be remembered as members of an A&M team that defeated Texas in Austin, step over this line.”

The players almost knocked Bible over charging out the door, and went on to win, 14-7. Gill scored one of A&M’s touchdowns that afternoon and set up the other. The Aggies would not win again in Austin until 1956 — 34 years later.

He was a master at “growing” a team — taking young players as freshmen, and molding them into powerhouses by their senior seasons. Such was the case with the 1927 team. Bible’s next-to-last Aggie squad featured Hunt as the quarterback and Siki Sikes as an end among its six all-Southwest Conference players.

A 39-13 pounding of SMU and its famed “aerial



circus,” was the highlight of the season — which included five shutouts and a 28-7 thrashing of arch-rival Texas.

Bible’s remarkable tenure at Texas A&M included success at venues other than football. He served as Director of Athletics from 1921 through 1928, and coached the basketball team for seven seasons, including three straight SWC championships from 1921-23. He also coached the baseball team in 1920 and 1921, recording a .738 winning percentage with a 29-10-1 mark. Bible was great student of the game — whatever the game, and he was a great student of people.

He was a tactician, among other things using an innovation of substituting teams by quarters. He wrote a book on the game, titled *Championship Football*. But in his understated humility, Bible once commented, “It’ll work if you have two good, tall, fast ends and some big heavy tackles, plus some good fast halfbacks.”

Bible’s theory on people — on the people he called on to play the game — came from Teddy Roosevelt.

“What we have a right to expect from a good American boy is a good American man,” Roosevelt had said, and it became Bible’s motto through his life of coaching and directing athletics.

After the 1928 season, Bible left Texas A&M for Nebraska, where he would win six conference championships in nine seasons. Legendary Notre Dame coach Knute Rockne had suggested to the Nebraskans that Bible was the man to lead the Cornhuskers.

In 1937, first impressed not only with his success at Texas A&M but by the way he went about his business, the University of Texas paid Bible more money than their president to become head coach and athletics director. His coaching time with the Longhorns would produce three more conference champions, giving Bible a total of 14.

When his coaching career ended, he had coached teams to 201 wins, 74 losses and 23 ties. He was named, before he died at the age of 88 in 1980, to every conceivable honor a coach can receive. He has been inducted into the Texas Sports Hall of Fame, the Texas A&M Athletic Hall of Fame, the Texas Longhorn Hall of Honor, and received the coveted Amos Alonzo Stagg Award in 1954.

Bible stayed on at Texas following his coaching career, first as athletics director, and then as a



## The Bible File

	<b>W</b>	<b>L</b>	<b>T</b>
<b>Missippi College</b>	<b>12</b>	<b>7</b>	<b>2</b>
<b>LSU</b>	<b>3</b>	<b>0</b>	<b>2</b>
<b>Texas A&amp;M</b>	<b>72</b>	<b>19</b>	<b>9</b>
<b>Nebraska</b>	<b>50</b>	<b>15</b>	<b>7</b>
<b>Texas</b>	<b>63</b>	<b>31</b>	<b>3</b>
<b>TOTAL</b>	<b>200</b>	<b>72</b>	<b>23</b>

consulting athletics director.

Above all, he was always the gentleman, with a fierce will to win. When he retired in 1961, at what he called “three score and ten (the slippers, pipe and rocking chair age), Bible hand wrote his good-bye.

“In putting down names and events that I shall always cherish,” he wrote, “the list is without end. I have a deep appreciation to all who have had a part in keeping me in the lineup. It takes so many to make a team.”

When he retired from coaching after 33 years and 201 wins, Bible’s teams had more victories than anybody’s in the history of college football, except for Pop Warner, who coached 44 years and had 319 wins, and Amos Alonzo Stagg, who coached 57 years and finished with 314.





**John Kimbrough (left) ran for 152 yards and 2 TD's against Tulane in the Sugar Bowl.**

# Aggies Claim National Championship With Fourth-Quarter Rally Over Tulane

**By Doyle Beard**

*Houston Chronicle*

**NEW ORLEANS, LA., JAN. 1, 1940** —

Ladies and gentlemen, I give you the national football champions, those rip-roaring, fighting Aggies from Texas Agricultural and Mechanical College who today closed out an undefeated and untied season with a stirring 14-13 victory over Tulane's mighty Green Wave in the sixth Sugar Bowl grid classic.

It was a sensational game, which kept more than 70,000 fans in a furor from start to finish. The Aggies-Tulane duel attracted the largest crowd ever to

<b>Texas A&amp;M</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>7</b>	<b>— 14</b>
<b>Tulane</b>	<b>0</b>	<b>0</b>	<b>7</b>	<b>6</b>	<b>— 13</b>

witness a sports event in the Deep South.

The Aggies won like champions, getting up from the floor to come from behind and win in the closing minutes of the hard-fought battle. After Jitterbug Bob Kellogg, Tulane's brilliant little speedster, and Monette Butler, a hard-driving back, had sparked the Green Wave to a 13-7 lead early in the fourth quarter, Coach Homer Norton's Aggies came back to



1940 Sugar Bowl: Aggies vs. Tulane



**12<sup>th</sup> MAN**

snatch victory from the hometown team.

Jarrin' John Kimbrough, the Aggies' all-America fullback, proved his class by turning in one of the greatest performances ever seen on the New Orleans grid.

The 6-foot 2-inch Haskell, Tex., lad, a streamlined 210-pounder, carried the ball 26 times and gained 152 yards, averaging 5.7 yards each time he burrowed into the Green Wave. No one knew how much he did actually gain, for he added many more yards on the tailend of cunning Aggie lateral passes. Only once was he stopped without gain.

Kimbrough scored both Aggie touchdowns — the first on a 2-yard plunge after the first seven minutes of play, and the second in the final quarter on a 15-yard jaunt at the end of a spectacular 24-yard forward-lateral pass play. But it was the accurate place-kicking right toe of quarterback Walemon (Cotton) Price who gave the Aggies their margin of victory. He kicked the extra point after each Cadet touchdown.

Ideal weather conditions prevailed. The skies were clear and it wasn't cold enough for a topcoat at game time.

Long before the kickoff the vast home of the Southland's grid classic was splashed with the color

of many thousands who arrived for ceremonies featuring the famed Bengal Guard, all-girl drum and bugle corps of Orange, Texas.

The sun played hide and seek behind clouds that started blowing southward, carrying away the threat of rain. The mercury was in the sixties.

An aerial bombardment of fireworks unfolded the Aggie and Tulane colors high in the air directly over the bowl. Airplanes constantly circled the field as photographers snapped the scene from the air.

The stadium was decorated with sugar cane stalks and piles of cane lay about near the entrances as souvenirs for any who wished to help themselves

The Green Wave practically donated the Aggies their first touchdown when they were guilty of unnecessary roughness and were penalized back to the Tulane 2-yard line.

The Aggies started the drive on the Tulane 32. A forward-lateral, from Price to end Herb Smith to Kimbrough, made a first down on the 20 and then Derace Moser ran around end for 5 yards. He was carried out of bounds on the play and it was here that the roughing penalty was invoked.

Kimbrough rammed over for the touchdown and Price booted the extra point to give the Cadets a 7-0 lead.





*1940 Sugar Bowl: Aggies vs. Tulane*

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**A&M end Derace Moser (42) awaits a pass from Walemon Price (45) in the first half.**

The Green Wave took charge for a while, threatening several times in the second quarter. In the third period the slippery, speedy Kellogg took Moser's punt on his 30 and raced down the field behind great blocking for 70 yards and Tulane's first touchdown. Thibaut booted the extra point and the score was deadlocked at 7-7.

A fumbled lateral at the end of the third quarter set the stage for the Tulane drive that put the New Orleans team in front for a short-lived stay.

The drive started on the Aggie 39 and with Butler, Nyhan and Hays smacking into the line on tricky reverses the Green Wave rolled toward the A&M goal line.

Butler plunged over for the second touchdown from the 1-yard line on fourth down. Thibaut's conversion attempt was blocked.

The Aggies came charging back to fight their way to a 1-point victory.

Herb Smith, the Aggies' great little end, brought the kickoff back to the Aggie 31, and Price took to the air lanes, firing to Smith for 9 yards. Kimbrough cracked the line for a first down on the Aggies' 45 and the Price passed to end Jim Eterling for 9 more. A&M called on Kimbrough again, who rammed his way to the Tulane 26.

Kimbrough picked up a couple of yards on an end sweep, but a pass by Price to Jim Sterling was batted down.

Then came the play that put the Texans in charge again. Price fired a pass to Smith, who caught it on the Tulane 15, lateraled to Kimbrough and Big John stormed 9 yards for a touchdown. Price then stepped into the hero's role by booting the extra point that won the game.

Throttling the Green Wave after the kickoff, the Aggies came charging back down the field and were at the Tulane 4-yard line when the game ended.



**John Kimbrough, an all-American halfback in 1939 and '40, runs for a TD against SMU in 1939.**

## *Jarrin' John Kimbrough Led Texas A&M to No. 1*

**By John P. Lopez**

There was a world war bullying its way onto America's doorstep. There were so many families trying to keep their farms from blowing away in the steady, howling wind.

It seemed everyone in Texas lived on a steady diet of beans, greens and cornbread. The entire country was on the mend from its fiscal crash, searching for a bit of sporting diversion and fun.

And it was at this time when some 43 farm boys and future war heroes — just a bunch of raw bones and calloused hands — came together at a dusty place called Texas A&M in the Brazos Valley of Texas. They arrived mostly by circumstance, a bit of chance and a lot of clever planning by Aggies coach Homer

Norton, who had grown up in Birmingham Ala., and coached at Centenary College for 10 seasons before arriving at Texas A&M.

What ensued was a moment in football history that took on a mythical air thanks to the power and might of a young man whose nickname was nothing if not perfect: "Jarrin" John Kimbrough.

The 1939 Aggies were led by this monstrous running back, who more than half a century later still refuses to take credit for it all, but anyone who saw him knew. It was Kimbrough who won the 1939 national championship for the Aggies.

The Aggies haven't won another national title since, probably because for all the talent, all the victories and bowl games that have come their way, they have yet to see a player as dominant as Kimbrough.





**Kimbrough (left) hands off to tailback Tom Harmon (98) during practice for the New York Americans of the American Football League in 1941.**



**Kimbrough (right) visits with 1940 Heisman Trophy winner Tom Harmon (left) and actress Anita Louise on the set of the film, *Harmon of Michigan*, in 1941.**

The 1939 team featured linemen such as Joe Boyd and Marshall Robnett — big, tough farm boys. There was the quarterbacking of Cotton Price and Marion Pugh, smart runners and good passers. It was a team that would establish records that still stand today.

“It was just a bunch of country boys from little West Texas towns that you couldn’t even spell,” said Tommie Vaughn, the starting center on the 1939 Aggies. “But if ever there was a team that truly was unbelievable, that was it. We really didn’t even care that much about the national championship. A lot of us didn’t even know that there was such a thing. But we were undefeated, we won the conference and we won the Sugar Bowl. We knew we had a team.”

And the middle of it all was Kimbrough. Some called it the best team of its era, with a defense that gave up only 31 points and 763 total yards. Its offense revolved around the fast, broad-shouldered Kimbrough, a fullback who measured an unheard of

6-3 and weighed 220 pounds in an era of 170-pound running backs and 200-pound linemen.

In every recollection of the legendary 1939 team, Kimbrough is the focal point. He was called by one writer of the time, “one part Man O’War, one part Mack truck, one part King Kong.”

Kimbrough was taller and weighed more than all but one of his linemen. He fumbled once in three years. He rarely faced a team with a player of his own size and could outrun all but a handful of his teammates.

“He was the greatest, the absolute greatest,” said J. Howard Shelton, a backup center and member of the 1939 “Blue Boys” — A&M’s scout team. “I always brag today that I tackled John Kimbrough more than anybody else because I had to face him every day in practice. I don’t know how many times after we played a team, their guys would come up to us and say, ‘Boy, you guys are great. That Kimbrough is the



best.' I always said the same thing:

'You're lucky. You only have to face him once a year. I line up against that so-and-so every day.'"

It once was said of Kimbrough that he broke more noses with his high-stepping knee action than Joe Louis did in the boxing ring. But Kimbrough never said such a thing about himself. Despite glowing review after glowing review, including a second-place finish to Michigan's Tom Harmon in the 1940 Heisman Trophy race, Kimbrough always credited his teammates.

"I never made a yard until Vaughn snapped the ball to me, and he was the best at it," Kimbrough said in 1992. "If I wanted it on my right side and high, it was there. If I wanted it on my left knee, it was there.

"And I never did anything without Marshall Robnett and all those great athletes on the line making the blocks. I had the best blocking back (Jim Thomason) who ever played the game."

In a videotape of the 1939 A&M team in action, all

of the above seems true. The Aggies seemed every bit the complete team in the Texas A&M archives tape of the 1940 Sugar Bowl. But the tape also clearly showed why more than half a century later Kimbrough still occasionally received autograph and photo requests sent to his home in Haskell.

After the Aggies stormed their way to their 11th win and the title, before a standing-room Sugar Bowl crowd of 73,000, a *New York Times* reporter wrote of the Aggies: "Every word of A&M's prowess was true. This is the best all-around football team in years, and Mr. Kimbrough is the best football player since Jim Thorpe."

The Aggies entered the game ranked No. 1 after recording six shutouts and whipping national powers Santa Clara (7-3), Villanova (33-7) and defending national champ TCU (20-6) in successive weeks. They gave up only three first downs in defeating Texas, 20-0, to wrap up the Southwest Conference championship, allowing only two touch-



**At the 1939 Washington Touchdown Club Dinner, Kimbrough (second from right) joins LSU's Ken Kavanaugh (second from left) and Iowa's Nile Kinnick (middle) to receive their awards for their tremendous on-the-field success during the 1939 season.**

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downs in 10 games.

Tulane, ranked No. 5 and playing before a partisan New Orleans crowd, lost 14-13 to the Aggies in the Sugar Bowl but managed only 101 yards on offense.

Renowned *Chicago Tribune* reporter Arch Ward, who later said he regretted giving his 1940 Heisman vote to Harmon instead of Kimbrough, wrote, "Only a truly great team could have beaten Tulane on that day. You couldn't escape the impression that you were watching one of the greatest groups of athletes the game has seen and the greatest piece of football flesh this writer ever saw. He (Kimbrough) is too much football for one team to stop."

Kimbrough led the Aggies to 19 straight wins, another school mark that still stands, and two of three consecutive Southwest Conference championships.

Kimbrough, Boyd and Robnett became All-Americans. Six others, including Vaughn and Thomason, earned all-conference honors. Eventually, the entire starting lineup of the 1939 team and four backups earned entrance into the Texas A&M Hall of Fame.

"We had our heroes and all-Americans," Vaughn said, "but everybody on that squad made a difference. It was an unbelievable group."

It was one put together under the strangest of circumstances. As unlikely as it may sound in today's era, many A&M former students on the heels of the Depression in 1934 were calling for the university to drop football. The Aggies had not won a conference title since 1927 and, worse, had built up a \$210,000 debt to banks, forcing the program to borrow \$30,000 from the university's general fund to keep it afloat.

The university hired Norton and gave him five years to shape up the program or possibly be remembered as the man who buried A&M football.

Norton immediately called on Lil Dimmitt, an expert recruiter, and Bert Pfaff, a rich, powerful A&M alumnus. Norton convinced the group that in order to succeed, it must first raise more money — \$25,000 — to convince the state's best players to enroll at A&M.

In 1935 and 1936, the Aggies lost badly. Norton, Dimmitt and Pfaff then targeted the high school senior class of 1937 as the group of players that could resurrect A&M football. In that class were Kimbrough, Vaughn, Robnett and virtually the entire team that would win the 1939 championship. Dimmitt carefully screened players across the state

**The Kimbrough File****RUSHING**

<b>Year</b>	<b>Att.</b>	<b>Yards</b>	<b>Avg.</b>	<b>TD</b>
<b>1938</b>	<b>70</b>	<b>239</b>	<b>3.9</b>	<b>4</b>
<b>1939</b>	<b>143</b>	<b>475</b>	<b>3.3</b>	<b>10</b>
<b>1940</b>	<b>162</b>	<b>611</b>	<b>3.8</b>	<b>7</b>
<b>TOTAL</b>	<b>375</b>	<b>1,375</b>	<b>3.67</b>	<b>21</b>

and came up with a group he called the "Wanted 40."

All but a few of the "Wanted 40" were poor kids; many literally came from off the farm. None could afford to go to A&M without a full scholarship. But considering the debt already in place, no bank would loan the Aggies the \$25,000 it would take to fund the scholarships.

Finally, Pfaff walked into his own bank in Dallas and threatened to take out all his money — estimated at more than \$400,000 — unless the bank loaned the school \$25,000. By lunchtime of the day Pfaff made his threat, Dimmitt had signed Pugh. By the end of the day, Thomason, Vaughn and Bill Miller were signed. And by the time the class of 1940 stepped onto campus in the fall, 23 members of Dimmitt's "Wanted 40" were ready to play for the Aggies.

"We were all there when the Depression hit," Roy Bucek said. "We weren't a lot of rich boys. Most of the time, all we knew to eat was what we had on our farms — milk that we milked ourselves, corn and farm hogs. There was a real bond between us because we were all on the same level. We all knew





the only way to make it to college was to play football and use that scholarship.”

Kimbrough initially signed with Tulane. But after becoming disenchanted there, he transferred to A&M.

“We were just lucky to all come together the way we did,” Kimbrough said. “In those days, the coach would tell you, ‘If you can’t block that man, step back and let somebody else do it. You can go back to the farm.’”

“They could take your scholarship away in a day or give you one in a day. And anybody that ever chopped cotton didn’t want to go back to it.”

By 1938, the talented group of recruits were sophomores, but A&M alumni were restless for wins. Finally, with the Aggies losing, 34-6, to eventual national champion TCU, A&M fans got a glimpse of what was to come. Norton, who earlier in the week had inserted sophomores Robnett and Vaughn into the lineup, called on Kimbrough to enter the game.

“When I got in there, it was like a Chinese fire drill,” Kimbrough said. “In the huddle, linemen were saying, ‘Don’t run over me, because I can’t block those guys.’ Backs were saying, ‘Don’t give it to me. I don’t want those guys to hit me anymore.’”

“So I just told the quarterback, ‘Hell, I’ll run it.’”

On the first play, Kimbrough plunged into the line and saw what he would describe as “40,000” TCU defenders. Still, he bulled over players for nine yards and put a Horned Frogs defender on the bench with a bloody face.

When Kimbrough went back into the huddle, he told the quarterback to give him the ball again. This time, he ran 14 yards and bulled over another defensive back, who had to be taken off the field by the trainers.

Dutch Meyer, the famed TCU coach, rushed onto the field in a fury and got in Kimbrough’s face.

“He said, ‘You big bleep, we’re trying to win the national championship and you’re putting my guys out!’” Kimbrough said. “Then he grabbed my jersey around the neck and said, ‘You keep that up, and we’re not only going to break both your arms, we’re going to break both your legs, too.’”

“I just looked at him and said, ‘Look, little fella, you’re too small for me. Get somebody bigger out here.’”

It was a moment that sealed the Aggies’ fate. From that point on, Kimbrough started every game. By 1939, the Aggies were set for an amazing run. The



**Kimbrough (right) signs a contract with the All-American Football Conference’s Los Angeles Dons in 1946.**

1939 Aggies lined up with Herb Smith at one end and Jim Sterling and Bill Buchanan sharing time at the other. Ernie Pannell and Boyd were the tackles, with Robnett and Charles Henke at guard.

Vaughn was the center. Price and Pugh shared time at quarterback. Bill Conatser and Derace Moser shared time at tailback with Thomason the blocking back and Kimbrough the fullback. Members of that championship team point with pride to the fact that all but two players earned degrees — despite breaking away for World War II. And, of all the players who eventually were married, only one has been divorced.

“That says something about commitment,” Shelton said. “That’s what that team was all about.”

Most of the 1939 Aggies fought in World War II. Moser and Smith died in plane crashes. But through the years, a world war and countless changes in the game, the team still got together regularly for reunions and remained close.

“That was a special group,” Vaughn said. “We talk about that year all the time. Years like that don’t come around real often. And runners like John Kimbrough are once in a lifetime.”

Said Kimbrough: “I don’t know what effect I had on the team, but it was a great team. I’m glad they gave me the ball. I wanted to run and to win.

Fortunately, I was able to do both.”



**Aggie defensive back Gene Stallings corners Rice's Jerry Hall (44) in the first half.**

## Aggies Explode in Last Five Minutes to Defeat Rice

**By Dick Freeman**  
*Houston Chronicle*

**HOUSTON, NOV. 12, 1955** — Fought off their feet by an aroused bunch of Rice Owls for all but five minutes of the game, the Texas Aggies roared back for three touchdowns to turn back Rice, 20-12, here this afternoon.

The frenzied last minute rally of the Aggies left a crowd of 68,000 fans stunned in Rice stadium — and left the Aggies on top of the heap in the Southwest Conference.

Now only Texas stands in the Aggies' path as they

<b>Texas A&amp;M</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>20</b>	<b>—</b>	<b>20</b>
<b>Rice</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>12</b>	<b>—</b>	<b>12</b>

roll on towards the Southwest Conference championship.

The other teams can scramble for the Cotton Bowl, for which the Aggies are ineligible.

They scrambled for this one.

The two teams hammered away at each other for three quarters, with the surprising Owls coming off the doormat of the conference to hold an edge statistically.



They moved into Aggie territory almost consistently.

Then in the last quarter, the Owls caught fire—although it was just a weak little flame compared to the later explosion to come from the Aggie camp.

Rice struck for two touchdowns in rapid succession.

There were only five minutes left to the game as the Aggies started their big move of the day, and they repeated and repeated in as rough and tumble affair as you could hope to see in this rough and tumble conference.

Jerry Hall's extra-point try was wide, making it 6-0, Rice, with 10:56 left in the game.

The Owls came right back. Bill Dendy fumbled the kickoff for A&M and Lew Harpold pounced on it for Rice on the Aggie 31.

Six plays later and it was 12-0, Rice. Hill kept and ran 8 yards inside right end. Marshall Crawford rehurt the knee that had hampered the Rice end all season, and was helped from the field. So was an Aggie end, Roger Hobson.

It was that tough a ball game.

Zipperlen took a pitchout and raced to the Aggie

14. It was a first down with Don Gillis, the center, making the key block.

Throckmorton made 2 yards and Lanny Fife 6. Throckmorton hit the center for 1, and then Zipperlen took a pitchout again and ran wide for 5 yards and Rice's second touchdown.

There were only eight minutes left then, and the Owls were leading 12-0, as Throckmorton's extra-point attempt was blocked by Dee Powell.

Part of the huge crowd started moving towards the parking area. Wonder what they thought when they heard the final score.

The Aggies took the kickoff on their 37, and on the next play John Crow, one of their ace backs, lost a yard, was hit so hard by Jean Barras that he was helped from the field.

The Owls held and so did the Aggies. It looked like the ball game as Pinky Nisbet punted to the Aggie 39.

Bang, bang, and A&M was back in the ball game. Loyd Taylor, one of the unsung backs of the Aggies compared to Crow and Jack Pardee, broke around end and streaked down the sidelines on a 58-yard gallop, with key blocks by Bobby Keith and Gene



**Paul Zipperlen, who scored 2 TD's for the Owls, tries to stop A&M's John David Crow (44) as he nears the Rice goal line.**



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Stallings helping to clear the path.

He finally was brought down on the Rice 3-yard line by Ken Williams. Two tries at the line netted but 2.

Then Taylor went over for the TD and kicked the extra point. The Rice lead had been whittled to 12-7, but there were only three minutes 18 seconds left in the game.

Jack Powell kicked short for the Aggies, and the ball was covered by Gene Stallings of the Aggies on the Rice 43. It was an onside kick, naturally, and belonged to the first man to pounce on it.

The clock was clicking around, but here it came. Wright faded deep and passed far down the field to the speedy Taylor. He got in behind Zipperlen near the goal line, gathered in the pass over his shoulder while running at full speed, and one more step and he was across, untouched. It was a 43-yard pass, and the Aggies now led, 14-12, with still 2:32 left in the game.

Rice gambled after the kickoff. That's all there was to do. Hill tried one pass and it missed. He tried another, and Jack Pardee snatched it for the Aggies, racing to the Rice 8.

The Owls were penalized 5 for delaying the game for substitutions.

With just 1 minute 9 seconds, Don Watson knifed over tackle for 3 yards and the final marker of that hectic fourth-quarter which had netted two touchdowns for the Owls and three for the Aggies.

The Owls played surprisingly good ball, compared to past performances this season. Up until the last few minutes they had the ball game tucked away.

Then came the explosion and that was that.

It was tough on Zipperlen, the little Rosebud junior who played a great game on offense, to be passed by the speeding Taylor in the race for what proved to be the winning touchdown of the game.



**A&M defender Jack Pardee (32) brings down Rice's Lanny Fife.**

Zipperlen, who didn't play enough to letter last year and has played but little this season, made two Rice touchdowns.

He saved an Aggie touchdown in the first half by intercepting a pass on the 1-yard line of the Owls.

It was just one of those days.

Rice had 14 first downs to 9 for A&M, had 176 yards net rushing to 177, 28 yards in the air to 55. The alert Aggies intercepted three Rice passes which made a big difference.

Lanny Fife was top man carrying the ball for Rice with 47 yards and Zipperlen was next with 41.

Taylor, with the help of his long 56-yarder, had 76 yards to pace the Aggies.

The Aggies were a solid touchdown or more the favorite in this game played under an Indian summer sun that all but brought steam from the wet turf in a 75-degree temperature.

Yet they saved themselves by as determined a rally as anyone could want to see — especially any Aggie.





## **‘No One’s as Lucky as I Am With These Kids’ — Bear**

**By Jerry Ribnick**

*Houston Chronicle*

The big guy with the hat pulled down over his eyes, his tie loosened looked worn out.

But that smile on Bear Bryant’s face told you different.

After what had just happened he probably could have walked a mile on a road of hot coals and never got his feet burned.

His Texas Aggies had staged one of the most memorable comebacks ever seen in Southwest Conference history to beat Rice, 20-12.

“We were lucky,” the big man drawled.

“But then no one is as lucky as I am to coach kids like these,” Bear rasped.

Asked if he was surprised at the sudden turn of events that found the Aggies scoring three touchdowns in just over four minutes to remain in the lead in the Southwest Conference, Bear replied, “I’m not surprised at anything these kids do.

“But in fairness to Rice I must say they outplayed us and should have won.” He quickly added, “Or at least they outplayed us for three and a half quarters.”

Bryant pointed to the Aggie onside kick as the game’s turning point.

“We’d practiced it a lot. It really worked, didn’t it?” he asked.

Just then Dr. David H. Morgan, the Aggies president, strolled up. “I don’t believe it coach, tell me it’s true,” he said.

And Bryant — just like everyone of the 68,000 astounded fans who saw it happen — answered, “I don’t believe it either. But I’ll take the score anyway.”

Bryant said he had planned on sending Bobby Conrad in to replace Loyd Taylor after the Ags’ first score. “I knew he was tired. But I couldn’t get Bobby in and as it turned out Taylor caught Jimmy Wright’s pass for the winning score.”

Taylor, limping through his two missing front

teeth, was so happy he could hardly talk.

Asked about his run, he said, “All I had to do was run hard. I got some fine blocking.”

Gene Stallings, the Aggie end who played as fine a game as anyone on the field, said he didn’t expect to cover the ball on the onside kick. “I thought I’d just get down and knock someone out of the way, but there the ball was and I pounced on it. It sure was the turning point. After we got it I knew we had ‘em beat,” the junior wingman explained.

Probably the guy who was the happiest of all was center Herb Wolf.

The former S.F. Austin lad was given the game ball to present to Bill (Jitterbug) Henderson, one of A&M’s most celebrated athletes.

Today’s game was dedicated to the former four-star Aggie athlete. He was too ill to attend. But he’ll no doubt treasure that ball more than the room full of trophies he won as an athlete.

It was a somber group across the ramp in Rice’s dressing room.

After practically having the game tucked away it was a bitter pill to swallow. It was Rice’s first loss to the Aggies in 10 years and most of the boys didn’t even want to discuss it.

Co-captain Marshall Crawford, who rehurt his leg in the final period, did comment that he thought the Owls went to sleep the last few minutes.

Rice’s head coach Jess Neely agreed wholeheartedly with that statement. Neely said, “We worked like the dickens for 55 minutes. I thought the boys played well as any crowd I’ve ever had. But they let it get away from them.

“It’s hard to understand. We knew the only thing that could beat us would be an onside kick. We called the boys together and told them that. But they just weren’t alert and lost their chance.

“We played as good a game as we’re capable of playing. But we let down when we nearly had it won. We helped bring them to life after we had them,” Neely said.



**Jack Pardee (32), A&M's rugged fullback, runs for 8 yards and a third-quarter TD.**

## *Pardee, Crow & Co. Break Austin Losing Streak*

**By Dick Freeman**  
*Houston Chronicle*

**AUSTIN, NOV. 29, 1956** — Traditions were shattered all over Memorial Stadium this afternoon as Texas A&M whammed the Texas Longhorns, 34-21.

In the first place, it was the first time that the Aggies had beaten Texas in that hallowed stadium, which opened in 1924.

In the second place it was the biggest score ever

<b>Texas A&amp;M</b>	<b>7</b>	<b>13</b>	<b>14</b>	<b>0</b>	<b>—</b>	<b>34</b>
<b>Texas</b>	<b>0</b>	<b>14</b>	<b>0</b>	<b>7</b>	<b>—</b>	<b>21</b>

amassed by the Aggies against Texas in this, their 63rd meeting.

In the third place, the Texas Aggies joined the select few which have won all six conference games. And yet, the Aggies won't be eligible for a bowl game because of the NCAA ruling which snubs the

*1956: Aggies vs. Texas*



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**The Aggies celebrated their first win in Austin after 32 years by throwing their coach — Bear Bryant — in the showers. Afterward, a jubilant Bryant addresses his team.**

Southwest Conference and refuses to reinstate the A&M team after its first-year probation.

The Southwest Conference had lifted the probation, but the NCAA refused to.

Anyway, it means TCU, loser by 7-6 to A&M, will be the Southwest Conference's representative.

But that doesn't have anything to do with this swashbuckling game in Austin which was played before some 62,000 fans in sunshiny but a chilly 46 degrees.

The Aggies won it convincingly but they had one whale of a fight. For instance, they were leading only 20-14 at the half, and they had been tabbed as between two and three touchdowns as the favorites.

Then came Jack Pardee, the slashing Aggie fullback, on the first play of the second half. He took the kickoff, raced through the middle, cut to his left, and kept going to the Texas 15.

Just three plays later, and it was an Aggie touchdown. Roddy Osborne, the quarterback, hit the line for 4 yards, Loyd Taylor, the swift halfback, knifed for 3 more. Then Pardee, recovering his breath, went for 8 yards and the touchdown.

That made it 27-14, Aggies.

From there on they played rather cautious ball, and who could blame them.

It was a wide open offensive battle from start to finish. The Aggies looked as if they would run the Longhorns out of the stadium with an early 13-0 lead-and then they had to settle down and play tough football.

They did. Their line, spearheaded by Charley Krueger, a great tackle; Dee Powell; Lloyd Hale and Dennis Goehring, along with that big sophomore end, John Tracey, smeared the Steers.

And for the Longhorns, J.T. Seaholm, Bob Bryant, Walter Fondren and Joe Clements stood out.

It started out with a rush and ended with a rush, as is customary in these Texas-Aggie brawls.

The Aggies marched 81 yards early in the game in seven plays for a touchdown to make it 7-0.

Roddy Osborne passed to Bobby Marks for 33 yards in the big play of that drive.

The Aggies were then set back for illegal pass procedure, but that didn't mean anything to John Crow, who went outside tackle, cut straight down the field and went 27 yards for the touchdown.

A try by Taylor for a field goal from the 19 failed to add to the Aggie margin. But then Taylor raced around left end and shook off two tacklers to go 29

yards to the Texas 48.

That was near the end of the first quarter, and early in the second, the Aggies drove for another touchdown, Osborne going over.

The point-after kick made it 14-0.

Walter Fondren put the Longhorns back in the game right away. He took a draw play for Texas, and with some fine change of pace running raced 43 yards for the Texas' first touchdown.

The Aggies rolled right back, with Taylor going for 22 yards to the Texas 28, Crow rammed center for 21 more, and Osborne ran the final yardage for a 20-7 lead.

Then it was Texas' turn to the astonishment of most of the fans who jammed Memorial Stadium.

Carl Wylie shook loose on the kickoff and raced to the Aggie 28 before being brought down by Bobby Marks.

Joe Clements passed to Mike Trant to the Aggie 14. He tossed a pass to Bob Bryant in the end zone for 14 more yards and a touchdown. That made it 20-14.

But Pardee and A&M responded with his long kickoff run to give the Aggies a 27-14 lead as the second half opened.

In 12 plays, the Aggies marched for another touchdown to make it 34-14. It was a 71-yard drive, starting on the Aggie 29. George Gillar a substitute fullback, took over. He went around end for a first down on the Aggie 41. Osborne passed to John Crow for a first down. With fourth down and four to go, Gillar raced around end for 29 yards to the Texas 4. Gillar then went over for the touchdown on fourth down, making it 34 to 14.

The Longhorns started from their own 48 in the last quarter to move for a touchdown to end the scoring and leave it at 34-21. Clements bootlegged for one first down. Then he passed to Wayne Wash for 10 yards, and to Fondren on the Aggie 11. He finished the drive by passing to Bob Bryant in the end zone for the touchdown.

The Aggies had 19 first downs to 14 for Texas, 336 yards to 135 rushing, and 78 yards to 111 passing.

Taylor led the Aggies with 91 yards rushing in 11 attempts, but Crow was right behind him with 88 in 11 carries. And the sub, Gillar, had a very respectable 68 yards in 7 tries.

Fondren, with 55 yards in seven carries and Clair Branch, with 50 yards in two, led the rather poor Texas running attack.





## 'Jinx Is No More,' Shout Aggies

**By Jerry Ribnick**

*Houston Chronicle*

After waiting 32 years, a valiant band of Texas Aggies joyfully celebrated in a hilarious dressing room, under the concrete stands of what once was jinxed Memorial Stadium, the end of a lengthy losing streak. Ever since the Longhorns built this concrete palace in 1924, the Aggies had failed to win here. But today the Aggies defeated Texas, 34-21.

A&M's last win in Austin was two seasons prior to the opening of Memorial Stadium, in 1922, when E. King Gill led the Aggies to a 14-7 victory.

"This is more than a game. This was the end of a jinx. No longer will they (the Longhorns) have a psychological advantage. We can play them on par from now on," declared a hoarse, bubbling Dr. David H. Morgan, the A&M president, to the throng of sportswriters that jammed the Aggie dressing room.

Morgan was dripping wet. He had just been tossed into the showers by the jubilant Aggie footballers. He wasn't the only one. The Cadets pitched in Aggie coach Bear Bryant and then the assistant coaches. Then in went the managers and the trainer, Smokey Harper, right behind.

Everybody was shouting. Everyone was singing. It was a moment of madness, a moment of happiness. They deserved to let loose. After all, they'd waited 34 long, long years for the eventful victory over the Steers.

The players between chanting "Poor Teasips! Poor Teasips!" and singing the Aggie War Hymn took time out to talk to sportswriters.

End Bobby Marks with still a sliver of black cork under his eyes to protect him against the sun said, "Texas had lot of fight. Those guys never quit fighting. But we were determined. That's all."

Asked if the game was being dedicated to anyone, Marks replied, "Yeah, that big guy over there. We'll give this ball to Coach Bryant. He took a bunch of roustabouts and made football players of 'em. He deserves the credit."

John Crow, the lad whom Bryant termed the best back in the Southwest Conference, was untying a knot in his shoes when confronted.

Not the least bit ruffled but with a big smile on his face the powering halfback from Louisiana commented, "This is the greatest feeling I've ever had. Not but one feeling could be better and that would be to be No. 1 in the nation."

"We're sure sorry for the seniors who won't get to go to a bowl game but we may have a chance next year — those of us that are returning," Crow added.

"This was our bowl game," he chuckled.

As for the jinx Crow, who hurt both his ankle and knee the first half, said he was never a believer in it anyway.

"But those Texas players must have been thinking of it the way they played," he admitted.

Asked what the coach told 'em at half time, Crow answered, "He used our motto to remind us what to do. That's 'suck up our guts,' and we did just that."

The boy who came out of six-man football to emerge as one of the finest fullbacks ever to play in the SWC, Jack Pardee, was just sitting in front of his locker with a grin a mile wide on his face when approached by the writers.

"I sure should have gone all the way (100 yards) on that second half kickoff return," Jack explained.

"On the kickoff I said 'Crow, take it,' but he told me to. I tripped or believe I would have gone all the way. Crow got a beautiful block on the safetyman to shake me free," the pounding fullback, who thrilled the 62,000 fans and vast TV audience with that return and another of 58 yards, later exclaimed.

The huge guy with a smile twice as big turned to his boys and asked for a moment of quiet.

At once-like true soldiers-there was silence.

Bryant, in a hushed tone, declared, "I won't complain any because we have guests in here. My limited vocabulary won't allow me to tell you how proud I am. It was a long, long way from Junction."

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**Jack Pardee receives instructions from A&M coach Bear Bryant during the 1956 TCU game.**



# Jack Pardee Did It All for the Aggies

**By David Barron**

First he was a Junction Boy, then he was part of the Over-the-Hill Gang. He was a legend of the wide-open six-man game, and he was the overseer of the pass-happy run-and-shoot offense. Certainly no figure in the annals of Texas football has spanned more eras and had an impact on more aspects of the game than Jack Pardee.

A glance around his office one day a few years ago reflected the scope and nature of Pardee's career. To the left of his desk was a commemorative print of Pardee, John David Crow, John Kimbrough and Randy Matson — four heroes of Texas A&M athletics. Below that was a poster honoring Pardee and the rest of the Los Angeles Rams' 40th anniversary all-star team.

To the right was a photo of the 12 helmet logos of the late, unlamented World Football League, which gave Pardee his first head coaching job in 1974. Back on the left was an autographed poster of Walter Payton, whom Pardee drafted when he coached the Chicago Bears from 1975 through 1977.

Across the desk was an autographed picture of Joe Theismann, Pardee's quarterback from 1978 through 1980 with the Washington Redskins, where Pardee himself played the last two years (1971-72) of his career. Behind him were posters honoring the Houston Gamblers, the USFL team that Pardee coached in 1984 and 1985, and the University of Houston, where he coached Andre Ware to the Heisman Trophy in 1989. And that doesn't even take into account his five seasons as coach of the Houston Oilers and a brief coaching stint in the Canadian Football League.

It is an extraordinary story, and it began essentially by accident.

Pardee's father, Earl, was left an invalid in the 1940's by rheumatoid arthritis. In 1946, he made the difficult decision to sell his Iowa farm — Pardee still has a copy of the sale advertisement, listing every-

thing from the Pardees' land, cattle and horses to Mrs. Pardee's sewing machine — to go "chasing the sun," in Pardee's words, looking for a cure.

"Dad heard from some people in Iowa that moving to Arizona might help him, so we took off to Arizona and lived for a year in Mesa," he said.

"It didn't help."

After a year in Mesa, when Pardee was in the fifth grade, the family returned to Iowa and another rumor: San Antonio was the place to go.

Wrong again. After a few weeks in San Antonio, "people told us it wasn't really San Antonio, it's San Angelo."

San Angelo led 20 miles south to Christoval and its hot mineral-water baths, and Christoval led Pardee to the first of four coaches who would shape his life.

G.W. Tillerson, who coached Pardee in 1951 and 1952, isn't nearly as well-known as Bear Bryant, Sid Gillman or George Allen, but his influence on Pardee's life can't be underestimated.

"Mr. Tillerson and his wife were the biggest role models I had growing up," Pardee said. "They started teaching in Christoval my sophomore year. Before then, there hadn't been many students from Christoval who went to college. They would move back to the ranches or later on, when the oil boom hit, they would work in the oil fields.

"The instilling of doing what you're capable of doing, identifying with the Tillersons and what they expected of me, inspired me to do everything I could not to waste my life. I thank God for sending me two teachers who cared about me to instill goals of success, to go to college, to pursue a career of my choosing."

That career, it became clear after Pardee's senior year at Christoval, would be football. At 6-1, 210 pounds, No. 42 was a giant in six-man football, a game that normally is better suited to smaller, quicker players.

Pardee scored a record 57 touchdowns in 1952 as

Christoval won the regional championship, the highest level at that time to which six-man teams could advance. In the Cougars' 80-52 championship win over Fort Davis, he ran for four touchdowns, including runs of 38 and 68 yards, caught three touchdown passes and threw a scoring pass.

That fall, he also caught the eye of Willie Zapalac, an assistant to Texas A&M coach Ray George. Zapalac was in San Angelo to scout two players in a Friday night game, and then someone tipped him about a big fullback who was playing that afternoon in a six-man contest. Zapalac drove the 17 miles south to Christoval, watched Pardee play and offered him a scholarship on the spot.

Pardee was a standout on the A&M freshman team in 1953, then faced yet another decision that could have changed his life drastically.

Ray George left A&M after the 1953 season, leaving the Aggies without a coach from Thanksgiving through February. Gil Steinke, who had been a member of George's staff, left to become coach at Texas A&I and tried to take several of A&M's best players, including Pardee, with him.

Tillerson, who is retired and lives with his wife, Helen, on a farm north of Celina, said he was tipped off by Pardee's mother of the A&I offer.

"That night I called him and said, 'Jack, I understand you've got this offer,' " Tillerson said. " 'Now, you and I will be friends regardless, but I want you to listen to me. If you're thinking about this year and next year and the year after, you go to A&I. You'll get a better deal than you're getting at A&M.

" 'But you think about this: Your mother and dad will move from Christoval, where everybody loves them, and go to A&I (in Kingsville). But you're going to graduate in two years, and they'll be left there with nobody who knows them. Then, I want you to think about what a degree from A&M is worth. If you're looking for this year, next year and a third year, go ahead and leave. If you're looking for a lifetime, you stay where you are.' "

Pardee stayed at A&M. A few weeks later, the Aggies hired Paul (Bear) Bryant as their new coach. And Bear Bryant led Pardee to Junction.

Mickey Herskowitz, then a cub reporter for *The Houston Post*, didn't make Junction sound all that bad in his first dispatch from camp: "At the eastern tip of the West Texas hill country 1,800 feet above sea level lies Bryant Hide-A-Way — the mountain retreat of the Texas Aggies," Herskowitz wrote.

Retreat, Pardee later recalled, was hardly the operative word. The Aggies spent just 10 days in Junction, but it would spawn not only a championship football team but an entire brace of legendary stories that circulate to this day.

"It seemed like forever," Pardee said. "The coaching staff wanted to get to know the endurance and fortitude of the players we had, and it was a chance to know yourself, to show how far you can go."

Pardee, who was switched that summer from fullback to end, was one of the few apparent highlights of the Junction camp. "You can just see him coming along from day to day," Bryant said at the time.

But as the Aggies suffered through the 1-9 season of 1954, Pardee was not an immediate standout. In fact, Zapalac told author Wilbur Evans for the book *The Twelfth Man: A Story of Texas A&M Football*, Bryant "had just about given up on him. He didn't think Pardee was a fighter."

Then came a springtime visit by several A&M football players to Austin for a Texas A&M-Texas baseball game that would decide the Southwest Conference title.

"Gene Stallings and Dee Powell and Bobby Keith and myself were up in the stands along with Roddy Osborne and some others, and Roddy ended up getting pushed over by one of the Texas football players," Pardee said.

"I jumped in immediately and took part and ended up knocking down a player named Buck Lansford, who I ended up playing pro football with and became good friends with.

"Everybody in the stands started fighting, and we managed to get out of there without getting thrown in jail."

Pardee laughs off the incident, but Zapalac and A&M trainer Smokey Harper maintained it was that confrontation in Austin that made Pardee a football player.

However it happened, the transformation of Jack Pardee reflected the transformation of Bryant's Aggies — from doormats to champions. Three games in particular reflected the growth of A&M football under Bryant — the 1955 comeback win over Rice, the "Hurricane Game" against TCU in 1956 and the 1956 Texas game at Memorial Stadium. Pardee played a critical roll in all three.

The 1955 Rice game, played before 68,000 at Rice Stadium, saw the Owls score three touchdowns





**Pardee, at the bottom of the pile, poses with backfield teammates: (top to bottom) Jimmy Wright, Loyd Taylor and John David Crow.**

in the final four minutes to beat Rice, 20-12, their first win over a Rice team in 10 years. Loyd Taylor was the man of the hour for A&M, setting up a score with a long run and catching a 43-yard pass from Jim Wright for the second score. The coup de gras, however, came after Pardee intercepted a pass and returned it 37 yards to the Rice 3-yard line. Don Watson scored the game's final touchdown from there.

Pardee also had a fine game against the Owls in 1956, scoring two touchdowns in a 21-7 victory at Kyle Field. Against TCU a couple of weeks earlier, however, it was his defense that played a defining role in one of the greatest games in SWC history.

On an afternoon when a howling thunderstorm struck College Station, damaging dozens of airplanes at Easterwood Airport and spreading death and destruction as far south as Houston, TCU recovered fumbles at the A&M 8-, 37-, 29- and 23-yard lines, ran plays inside the A&M 30-yard line on seven different occasions — and still lost, 7-6.

On a play that still rankles TCU fans to this day (just bring it up to Jim Brock, the TCU sports information director of that era, and then stand back), Pardee stopped the great TCU running back Jim Swink on fourth-and-goal from the six-inch line to prevent a Horned Frogs touchdown.

But perhaps Pardee's greatest game came on Thanksgiving Day 1956 against Texas. For A&M fans reared on 15 years of unbroken success, it may be hard to visualize the magnitude of the Aggies' Memorial Stadium jinx at that time. A&M had never beaten Texas at Memorial Stadium, which opened in 1924, and only once had beaten Texas in Austin. In fact, the Aggies had never even scored a touchdown from scrimmage in the stadium's south end zone.

All those barriers crashed to earth on Nov. 29, 1956 (although the goalposts did withstand the fervent efforts of A&M fans to tear them down). Playing with two separated shoulders, Pardee had kickoff returns of 85 and 65 yards and scored on an eight-yard touchdown run in A&M's 34-21 victory.

"This is more than a game," A&M president David Morgan said afterward. "This was the end of a jinx. No longer will they have a psychological advantage. We play on a par from now on."

From there, Pardee played for 15 years in the NFL with the Rams and Redskins. He was one of the league's best, and he was even better after sitting out the 1965 season, at age 28, while recovering from

surgery to treat a malignant melanoma found in his left arm.

Pardee entered UCLA Medical Center on his 28th birthday, April 19, 1965, and underwent an 11-hour surgical procedure in which a super-concentrated dose of chemotherapy was injected into the arm and "isolated" from the rest of the body. Doctors also performed a complete blood transfusion and lowered the temperature of the body to 86 degrees to slow circulation.

"That was the only time since I've known him that he ever got down about anything," his wife, Phyllis Pardee said. "After chemotherapy, everyone goes through a period of depression. But he just has this inborn ability to handle any situation. I think it's his faith. He has such a strong faith. It's sort of a built-in gift from the Lord."

The Pardees spent 1965 in College Station, where Pardee was an assistant to Gene Stallings. Pardee rejoined the Rams in 1965 after coach George Allen hopped a plane from Los Angeles to Houston, then rode a bus to Bryan to lobby for his return.

He had six interceptions and two touchdowns at age 31 in 1967 for an 11-1-2 Rams team. After Allen was fired by the Rams in 1970 and resurfaced as coach of the Redskins, he traded for Pardee and several other ex-Rams who became known as the "Over-the-Hill Gang."

Pardee played the last two years of his career with the Redskins, picking off five passes in 1971 at age 35 and in 1972 winning NFC Defensive Player of the Year honors as the Redskins advanced to Super Bowl VII, losing to Miami, 14-7.

After the 1972 season, despite the urging of, among others, President Richard Nixon, Pardee retired to become an assistant coach with the Redskins. It wasn't his first coaching job; in 1953, he had taken on the Christoval junior high boys basketball team at Tillerson's request and coached them to a tournament victory in his first try.

That job was unpaid, of course, and so were the latter days of his next coaching job in 1974, with the World Football League's Florida Blazers.

The Blazers still played even after the paychecks started bouncing, and they advanced to the WFL title game. Pardee was named Coach of the Year.

From there, he spent three years as coach of the Chicago Bears, winning NFC Coach of the Year honors in 1976, and three years with the Redskins, winning the NFL Coach of the Year award in 1979.



**Pardee (32) watches as teammate John David Crow leaps high to break up a pass intended for TCU's Virgil Miller (18) in 1956.**

But even though the family enjoyed being back in Washington, taking the Redskins job is one of Pardee's few professional regrets.

What he couldn't predict was Jack Kent Cooke purchasing the team from Edward Bennett Williams, a longtime Pardee family friend, and hiring Bobby Beathard as general manager. After Pardee's 1980 Redskins team finished 6-10 without John Riggins, who sat out the season in a contract dispute, and Theismann, who was injured, Pardee was fired.

He spent a year as an assistant with the San Diego Chargers, then two years out of football in private business in Midland before returning to Texas with the Houston Gamblers of the U.S. Football League. The Gamblers were 23-13 in two seasons, and Pardee was named USFL Coach of the Year in 1984.

Pardee was hired by Donald Trump to coach the New Jersey Generals after that USFL team merged with the Gamblers. However, the league went out of business before the 1986 season, giving Pardee the dubious distinction of being the only head coach to go without a paycheck in two leagues.

After a year as a scout for the Green Bay Packers, he signed on to be the head coach of the University of Houston for three years — and made the Cougars winners. And then, in January 1990, he became the

head coach of the Houston Oilers, where four playoff seasons were marred by the monumental 1993 overtime playoff collapse against Buffalo.

Except for the brief CFL experience, when he coached the Birmingham Barracudas in 1994, he has devoted his recent years to his ranch between Hearne and Cameron.

It has been a long, strange trip, and he cherishes every step.

"It's meant so much, and none of it was planned," he said. "I still remember growing up in Christoval, working on the ranch and listening to Kern Tips on the radio. I played football there and had success, and that led to Texas A&M. I didn't know anything about pro football when I was in college, but that fell into place, too.

"Having a mentor like G.W. Tillerson at Christoval, and playing for Coach Bryant at Texas A&M, playing for Sid Gillman and George Allen in the NFL, working for George Halas in the NFL, drafting the leading rusher in pro football history (Walter Payton) and the leading receiver (Art Monk) — what a life.

"I still don't know why the good Lord has taken me down this path. It all just developed. I've had a good time."

## **12<sup>th</sup> MAN**

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**Rice's Buddy Dial can't bring down the hard-charging John David Crow (44) in 1957.**





# John David Crow Ran Over the Opposition

**By John P. Lopez**

John David Crow thought he was looking death squarely in the face.

But it wasn't death. It was Bear Bryant.

It was one of those steamy-hot August afternoons in 1956, a day when the sun was cooking the grass sprigs at Kyle Field and Bryant was stewing to a boil under his cap.

"The closest I've ever come to leaving this world," Crow said. "I honestly don't know what happened that kept me around."

Longtime Southwest Conference fans know exactly what happened. It was a bulldog heart that kept Crow alive to make more memories and build a story that still stirs the hearts of those who witnessed his fierce talent.

What kept Crow around, even after his legs cramped stiff, the perspiration stopped trickling down his face and the sky turned white as he lay flat on his back, was a stiff will that Bryant always knew distinguished his young star.

Years later, Bryant admitted one of the scariest moments of his career was realizing he had pushed Crow and the Aggies too hard on that hot afternoon.

"I should have known he (Crow) never would complain," Bryant said at an A&M reunion in 1982. "He just didn't have any quit in him."

But then, legends never quit.

Crow, who worked as A&M's athletic director, remains the only Heisman Trophy winner to play for the Aggies. His teams were among the best in the history of the SWC, going undefeated in 18 straight games and outscoring opponents, 223-81, in 1956, when Crow starred on offense and defense and the Aggies finished 9-0-1 and won the SWC title.

At 6-2 and 215 pounds, he was bigger and stronger than most anyone of his era and had exceptional speed.

Sure, numbers can tell some of what it was like to be the best of his time — 1,465 rushing yards, 19

touchdowns, nearly 500 return yards and a 31-yard per-catch average for his college career. But those who saw Crow barrel across the field, grunting and huffing as defenders piled onto his back, realize numbers don't tell the story of his outright fear-inducing ability.

Before the Heisman voting began in 1957, Bryant said, "If they don't give it to Crow, then they ought to do away with the ... thing."

Crow easily won the award and saw his father cry for the first and only time at the Heisman awards ceremony in New York.

"I was a blocker, really," Crow said. "I just happened to have the ball under my hand occasionally."

Crow went on to a stellar NFL career with the St. Louis Cardinals and San Francisco 49ers. Bryant went on to win six national championships at Alabama and coach such talents as Joe Namath, Ken Stabler, Steve Sloan and Lee Roy Jordan.

Yet until his death in 1983, the legendary coach described Crow as the greatest player he ever coached.

"The complete football player," Bryant said. "A coach's dream."

But on that scorching day in 1956, Bryant and Crow were living a nightmare. The public had been invited to watch the Aggies scrimmage.

"It never was one drill or one thing that made him (Bryant) so tough," said Crow, who became close friends with his coach and still speaks with a soft, admiring voice when talking of Bryant. "It was the constant pressure to do better than what you thought you could do. Or to do it longer."

"It was knowing you had to overcome whatever obstacle was in front of you. The summers were as hot back then as they are now, but you somehow had to find a way to overcome it."

At that preseason scrimmage, Bryant was not pleased with what he saw in his team. Still, he could not stop the practice and make his point in front of



**Crow, an all-American halfback in 1957, won the Heisman Trophy as the Aggies finished 8-3.**

all the A&M fans. The press was invited to the scrimmage, too, and Bryant didn't want to make a scene.

Instead, Bryant sent the message with subtlety, making the Aggies scrimmage for an extra five minutes in the second quarter, an extra 10 in the third and then working his team a full 45 minutes in the fourth quarter.

There were no water breaks. Most everyone played both ways, and the hitting was typical of Bryant-coached teams.

"Blood and guts," Crow said.

By the time the scrimmage ended, the Aggies dragged themselves into the locker room as Bryant

shook hands with a few faithful boosters.

Crow, who played the full scrimmage, hardly had enough strength to make it to the showers. Finally, he pulled a metal chair under a shower head and turned on the cold water. Crow hunched over in the chair, clasped his face with his hands and closed his eyes as the water poured over his body.

"I just wanted to sit there for as long as I could," Crow said.

But then, a manager walked into the showers and announced, "Coach Bryant says to put your stuff back on and get out on the field."

"I couldn't even stand up," Crow said. "I put my



shoulder pads on, but I couldn't even buckle them. When we got back out there, he (Bryant) told us to take a knee, but I couldn't. I just stood there.

"I remember looking at him; he was framed by the tunnel in the north end zone. All he told us was, 'Gentlemen, now we're going to really work.' "

Crow still cannot remember what happened next.

Films and legend tell of how Bryant set the ball on the 40-yard line and pointed the offense toward Kyle Field's north end zone.

Crow carried on nearly every snap. Like always, he managed to carry defenders and break tackles until he finally took his team into the end zone. Then, he collapsed into unconsciousness.

"I woke up in the hospital," Crow said. "The first face I saw was Coach Bryant's. I had a glass of orange juice in my hand. He told me, 'Why didn't you say something, John? Why didn't you tell me you were too tired?'"

"He was genuinely shaken by what happened. When I was coaching with him at Alabama a few years later, it was real hot out on the practice field one day and Coach Bryant told me, 'John, I'm glad we didn't lose you back then.' "

But legends never die.

Crow's tale began in Marion, La., a speck of a town where he was born to Harry and Velma Crow.

A problem at birth caused the left side of Crow's face near his mouth to be paralyzed. Crow at times has been self-conscious about the paralysis, often turning his face in one direction or the other when posing for photographs, so the nerve damage will appear less pronounced.

Crow has been tough and determined since birth, learning many of life's lessons from his father, a thick-chested, no-nonsense paper-mill worker.

Harry Crow continually preached one thing to his son: "If you say you are going to do something," John David Crow recalled, "then, by God, you had better do it. That was the rule."

Crow decided playing football was something he wanted to do as a teen in Springhill, La., a town of 2,000 where the family moved to when the Marion mill closed. It wasn't long before the likes of Louisiana State and Oklahoma were willing to do almost anything to sign him.

For years, LSU fans have contended the Aggies "stole" Crow right off the Baton Rouge campus during an intense recruiting chase. But Crow says he came to College Station not because of Bryant or

any recruiting shenanigans but because a coach he trusted had just been hired.

Elmer Smith, who coached Crow's older brother at Magnolia A&M in Arkansas, was hired by Bryant as an assistant prior to the 1954 season.

"I didn't know much about Coach Bryant at all," Crow said. "But my daddy never would have let me go to LSU. I had told him (Smith) I was going to A&M, and that was my word."

Shortly after arriving at A&M, Crow caught Bryant's eye, even though Crow was not on the famous Junction training-camp trip because Bryant took only the varsity.

But since the grueling Junction excursion had pared the varsity from 75 players to 27, Bryant occasionally would scrimmage the freshman team against the upperclassmen. Alongside Crow on the freshman squad were such future stars as Charlie Krueger, Roddy Osborne and Bobby Joe Conrad. The freshmen whipped the varsity consistently in 1954, causing Bryant to stop the scrimmages.

"When you look back at it now, there were some pretty good players on that team," Crow said. "I'm 75 years old now, and quite frankly, the things you do when you're younger seem so much less important."

"But it really means a great deal to know that people still look back and think, 'Hey, he wasn't too bad.' "

The Southwest Conference's first glimpse of Crow's greatness came, coincidentally, against LSU in the Aggies' second game of 1955.

Early in a game the Aggies would win, 28-0, Crow took a pitch to the right — later, the play would come to be known as "Let's go, John" — and ran into four LSU defenders.

Crow stiff-armed one man, broke through the other three and cut upfield into the secondary. Another defender grabbed Crow, but Crow whipped the player to the ground with his free hand.

Crow skipped away from more trouble, then barreled 77 yards for his first collegiate touchdown.

Decades later, Bryant would say, "That was the greatest single run I ever saw."

By 1956, the poor, pitiful Aggies who had won just one game in 1954 had become a dominant national power led by Crow, Jack Pardee, Krueger, John Tracey, Gene Stallings and Dennis Goehring.

"It was the greatest feeling once the season was over," Crow said. "But there was just a lot of pressure to excel each week. We didn't get to enjoy much

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**Crow's fourth-quarter interception sealed A&M's win against Arkansas in 1957.**





during the time we were succeeding because it was just so difficult.”

The Aggies had a tough time at LSU in the second game of 1956 but pulled out a 9-6 victory. Two weeks later came the lone blot on their record, a 14-14 tie with Houston, which played as an independent at the time.

But it was the “Hurricane Game” against powerful TCU at midseason and a landmark victory at Texas’ Memorial Stadium to end the year that seemed to define Crow and the 1956 Aggies.

Amid sheets of rain and winds that gusted to more than 60 mph, causing light standards at Kyle Field to sway, the No. 4-ranked Horned Frogs penetrated the A&M 20-yard line three times. And three times, the No. 14-ranked Aggies, with Crow starting at line-backer, turned TCU away.

Still, the Horned Frogs took a 6-0 lead into the fourth quarter. That’s when Crow carried his team to an 80-yard scoring drive, catching a pass from Don Watson for the touchdown. With the extra point, the Aggies led 7-6.

But it then took the fourth goal-line stand of the day for the Aggies to win.

Five weeks later, Crow again was one of the central players in a 34-21 victory at Memorial Stadium that was A&M’s first in Austin since 1922.

“I remember coming back to the huddle after I scored in the south end zone and the crowd and everybody was going bananas,” Crow said. “I said, ‘What in the world is going on?’ Dennis Goehring told me that it was the first time A&M had ever scored down in that end zone. Out of all the times A&M played there. I couldn’t believe that was the first touchdown.”

The Aggies were barred from the Cotton Bowl in 1956 because of NCAA probation but were the official SWC champs. Bryant said of that memorable year, “There’s never been a team with more guts.”

One season later, Crow carried A&M to an 8-0 start. On the day the Aggies were to play Rice in Houston, newspaper stories first reported that Bryant might leave A&M for Alabama. Ranked No. 1 in the nation at the time, the Aggies lost their final three games of the season by a total of six points.

“I don’t know how it was that I got to accomplish the things I did,” Crow said. “I’m almost embarrassed. I feel like I fooled a lot of people.

“All I did was put the ball under my arm and start running. I probably didn’t have the best technique. I

was a little larger and faster than most people, so I just figured I needed to run straight ahead. I’m just so grateful that I had the teammates I had and the coach I had. Every bit of it was fun.”

Years later, the legend is alive and well.



## The Crow File

### RUSHING

Year	Att.	Yards	Avg.	TD
1955	66	352	5.0	3
1956	101	561	5.6	10
1957	129	562	4.4	6
<b>TOTAL</b>	<b>296</b>	<b>1,455</b>	<b>4.9</b>	<b>19</b>

### RECEIVING

Year	No.	Yards	Avg.	TD
1955	5	101	20.2	1
1956	6	117	19.5	2
1957	2	62	31.0	0
<b>TOTAL</b>	<b>13</b>	<b>280</b>	<b>21.5</b>	<b>3</b>

### PASSING

Year	Att.	Comp.	Yards	TD
1955	0	0	0	0
1956	7	2	12	0
1957	9	5	68	0
<b>TOTAL</b>	<b>16</b>	<b>7</b>	<b>80</b>	<b>0</b>



**Alabama coach Paul (Bear) Bryant shows off his Aggie boots to his former pupil, A&M football boss Gene Stallings, at a reception prior to the 1968 Cotton Bowl.**



# Bear Bryant Made A&M a Winner

**By Mickey Herskowitz**

The impression Paul (Bear) Bryant made on Texas A&M, and vice versa, was wildly out of proportion to the years he spent there — four years out of his 38 as a college head coach. Yet a great deal of his experience there, and the image that followed him, had to do with a place called Junction.

Hardly anyone out of the 2,400 citizens who lived there had heard of Bryant in 1954, when he hauled his first Aggies football team out there for 10 days of intense training. The decision to take the team to Junction was made after Bryant had a chance to observe his material in the spring. At Maryland and Kentucky he had acquired a reputation as a salvage master, and now his task was to rebuild the Aggies.

What he had seen in the spring had depressed him powerfully. He saw how much work he and his staff had ahead of them, and he did not like the idea of getting that work done in front of strangers. Former students were excited by his arrival and eager to drop by the campus and watch him shape up the championship team he had been hired to deliver.

So Bryant began toying with the idea of a field trip, and he asked his assistant coaches for suggestions. Willie Zapalac, the only member of the staff who had played at A&M, knew of a facility the school owned in West Texas, used as a research center for engineers and geologists.

It resembled an austere army boot camp and was called The Annex. The housing was a cluster of Quonset huts built on cement slabs, with plywood walls and tin roofs and screens for doors and windows. Bryant chartered a plane to inspect the place and fell in love with it: the dust, the heat, the remoteness. The deer population outnumbered the people in the area.

The Annex was located on the outskirts of Junction, a town that offered no distractions, a dust bowl 300 miles from the A&M campus. All of the

Hill Country and most of West Texas was in the grip of a seven-year drought, the worst of the century. There was little or no grass on the grounds. Bryant had the rocks cleared from the most level patch of earth he could find and had it marked off for a practice field.

Gene Stallings, then a skinny sophomore who would captain the team as a senior and return 10 years later as a head coach, had the definitive line about the camp Bryant conducted. Asked if Junction had been as tough as the stories about it claimed, Stallings replied, "All I know is that we went out there in two buses and we came back in one."

Stallings recalled returning to school after the summer break and reporting for a team meeting.

"Coach Bryant told us to pack a couple changes of clothes," he said, "a towel or two and a pillow because we were going to take a little trip. He said we should be packed in 10 minutes. We were packed in five and waiting in front of our dorms when the two buses rolled up. We climbed aboard and moved off and nobody knew our destination. And nobody asked. It was that kind of feeling."

Nearly 10 hours after they pulled out of College Station, the buses passed through Junction and stopped at a campground three miles west of town. Coach Bryant made a short speech, explaining why they were there — to learn football his way — and then he gave them the next day off. Most of them went swimming in the creek that ran behind the property.

It was a pastoral scene, and the players soaked up the sun and the feeling of being one with the earth. No team ever had a more misleading introduction to a season less likely to become historic.

On the first official day of fall workouts, when most teams are doing nothing more demanding than touching their toes, the Aggies scrimmaged twice, in full pads. Bryant worked them like Chinese coolies laying down the railroad tracks to the west. There was blood on the ground in Junction, and some of it



**Bryant chats with NBC broadcasters Red Grange (left) and Lindsey Nelson (middle) prior to the 1955 Texas-A&M game, which NBC would televise nationally.**

belonged to Bryant.

To make a point, the Bear on occasion would get into a stance and go one-on-one with a player. He wore baggy khaki pants and a white T-shirt and a baseball cap, and when he dumped an Aggie on his rear end it wasn't because the player let him.

Those who survived would have stories to tell the rest of their lives. Eight of them, as seniors, played on a team that went undefeated and won the 1956 Southwest Conference title. For Stallings, Jack Pardee, Don Watson, Dee Powell, Bobby Drake Keith, Lloyd Hale, Dennis Goehring and Bobby Lockett, the 10 days at Junction would be the happiest days they ever suffered.

Bryant worked them at 5 in the morning and late in the afternoon, to avoid the worst of the heat. He was in his prime then, as a coach and a physical force, and he had no difficulty in being understood. There was a sense of urgency at every practice because the challenge was even larger than he had believed. He saw right off that the Aggies had no size,

no speed and no polished talent, and he was trying to decide if they had any guts.

His trainer, a colorful, white-haired old character named Smokey Harper, already had made up his mind that the Aggies were lacking in that department. Smokey had been with Bryant at Kentucky. One day, he suddenly announced, "These Aggies are curious folks. At Kentucky, we had four or five fights a day during practice. These folks pick each other up and say 'excuse me.'"

The one thing everyone in that camp seemed to have in common that summer was fear. Fear of Bryant. The players were motivated to get through each day without messing up, without forcing Coach Bryant to look right at them. For one thing, he was a big man, bigger than just about anybody on the team, and when he stood in the middle of the field the players walked around him as though he were a swamp.

It is startling to look back across the decades and realize that A&M's starting line that season averaged





182 pounds a man. Today you find bigger lines on junior high school teams.

But in at least two respects, Bryant was consistent his entire career. He preferred quickness to size and he built his teams from the defense out. He would give the offense the ball on the one-yard line and bark at the defense, "Heart! If you got any, now's the time to show it!"

He would yell at them, over and over, "speed-speed-speed," as if the repetition of the word would make them run faster.

The practices ended with wind sprints, the winner of each getting to return to the barracks until there was no one left. A winded, out-of-shape lineman was the last to straggle off the field one day until Bryant grabbed him, spun him around and said, gently, "Go back out there and run one by yourself, son. I want to see you win one."

Up every morning before dawn, the players worked out before breakfast. Then they would fall back onto their cots, exhausted, and nap until lunch. They came to dread the late afternoon practice.

"Heat, dust, no grass, lots of cactus," said Stallings. "Any time you got knocked down you had to avoid the sandspurs."

The radio station in Junction — KMBL — was a year old, the signal so weak that unless the wind was blowing just right you could not pick it up at the camp three miles away. A young couple owned the station and did their own announcing and engineering. The arrival of Bryant and the Aggies football team was a major news story and they poured all their resources into covering it, meaning that they placed a telephone call every day to Jones Ramsey, the whimsical A&M sports publicity director.

Asked what had taken place the first day of practice, Ramsey replied, "Oh, the usual things. They worked on offense and defense."

Anybody get hurt?

"Naw, it was just routine," said Jones. "A few guys tossed their cookies, that was all."

Later, driving into town, Ramsey turned on the nightly newscast on the car radio. "And, out at the Annex," he heard, "the Texas Aggies went through



**After his arrival at College Station in 1954, Bryant addresses the A&M student body.**



**Bryant poses with his 1956 captains: (left to right) Jack Pardee, Gene Stallings and Lloyd Hale.**

the first day of fall football drills in the usual way. They worked on offense and defense and a few of the boys tossed their cookies.”

In the days that followed, Bryant kept moving players around, looking for a place to use their talent or, if they had none, a position where he could hide their weakness. He moved a halfback named Elwood Kettler to quarterback and he lined up Jack Pardee, a redheaded product of six-man football, at a new spot every day, finally establishing him at end. The next year, he moved him to fullback, and Pardee went on to become all-America.

Kettler said he hated going to bed at night because he knew he would have to get up before daylight and put on his pads, and they would still be wet from practice the previous day.

One of their biggest linemen, Bill Schroeder, lost 17 pounds, missed a week with heat exhaustion, nearly a stroke, and played that season at under 200 pounds.

Bryant had hauled the team away from the campus because he wanted privacy, no distractions, and he

got his wish. Some candidates fainted, some were dragged off by the heels, some packed their bags and disappeared in the night. The defections started right away, after the first practice, but they did not seem serious or even newsworthy until two seniors, considered their two best players, walked out.

Joe Boring had made the all-conference team as a safety the year before, and Fred Broussard, the center, was the only pro prospect they had. Broussard quit one day in the middle of a workout, while the players waited, hands over ears, for the loud explosion that seemed sure to come.

The custom was for a player to quit in the dead of night, without facing Bryant, slipping off to the highway to thumb a ride to his home or back to College Station.

Bryant was stunned. He had never had this happen before, a player just checking it in right there in broad daylight, in front of his very eyes.

“Young man,” he said, “where you going? You better think about it now.”

There was a gate at one end of the field and



Broussard was headed for it. Bryant called after him, "If you go through that gate, you're gone." The player hesitated for an instant, then opened the gate and kept walking.

That night, Bryant spotted him in the dining room, a word that doesn't fully describe the place where the team ate. The Bear took the tray out of his hands and ordered him out of the chow line, explaining that, "You must be making a mistake. Only A&M football players eat here."

When the captain of the team, Benny Sinclair, stopped by Bryant's hut that night and asked the coach to take back the rebellious player, the Bear refused. As thin as the Aggies were, as much as this loss would hurt, this was not the time to compromise.

"We've got a long way to go, and if they quit now," he said, "they'll quit in the fourth quarter. I won't take him back, but I will help him pack."

When Ramsey asked what information he should report to The Associated Press, given Broussard's status as an all-conference center, Bryant replied: "Just say Broussard quit. Q-U-I-T. That's all."

Broussard was a tall, intense young man who had tested the coaching staff of Bryant's predecessor, Ray George, the year before and was always welcomed back. Now the Aggies knew they would have discipline. Ramsey had known it since the spring, when he had lunch one day with the new coach at the White Way Cafe, on Highway 6, across from the entrance to the campus. The cafe was a beer joint, really, but Bryant was partial to their collard greens and cornbread.

The coaches had been breaking down the films of the games from the past season, and Broussard had graded in the 60's, which is not a passing score on the football field, either. During the meal, Bryant looked up from his plate and said, "Jones, if Broussard makes the all-conference this year, playing like he did last year, your ass is fired."

Bryant had a point to make at Junction, a philosophy to install, and he did. After Broussard left, all the remaining centers, four of them, quit the next day in a group. The Bear just walked down the line, shaking their hands. "Good-bye, good-bye, bless your hearts, good-bye."



**Bryant and his 1955 captains: Billy Pete Huddleston (40), Herb Wolf (55), Gene Henderson (29), George Johnson (71), Henry Clark (79) and Donald Robbins.**

**12<sup>th</sup> MAN**

For all his forcefulness, it was a depressing time. No matter how much talent you have, and the Aggies had precious little, no matter how creative your offense, and Bryant believed that more than five plays constituted a circus, your chances of winning are very limited if you cannot snap the ball to your quarterback.

Lloyd Hale, a sophomore guard, volunteered to play center. By his senior year he made the all-conference team, and Bryant later would rate him with Paul Crane, of Alabama, as one of the best he ever coached at that position.

Herb Wolf, a reserve fullback, moved in behind Hale. But the only fellow in camp who could snap the ball deep for punts was one of the student managers, Troy Summerlin. Hale learned the position quickly, but as a security measure Bryant kept Summerlin on call for the team's early games. He wore football shoes, shoulder pads under a jersey, and maroon shorts.

Elwood Kettler bruised every knuckle on both hands while Hale and his backups practiced their snaps.

In retrospect, it is clear that the Aggies were not getting a great deal better at Junction. But they were getting tougher. Stallings and Don Watson and some of the other sophomores could hardly wait each morning to see who was missing. They would watch the players brave enough to face Bryant sip slowly

**The Bryant File****ALL-TIME COACHING WINS**

	<b>W</b>	<b>L</b>	<b>T</b>
<b>Maryland</b>	<b>6</b>	<b>2</b>	<b>1</b>
<b>Kentucky</b>	<b>60</b>	<b>23</b>	<b>5</b>
<b>Texas A&amp;M</b>	<b>25</b>	<b>14</b>	<b>2</b>
<b>Alabama</b>	<b>232</b>	<b>46</b>	<b>9</b>
<b>TOTAL</b>	<b>323</b>	<b>85</b>	<b>17</b>



**Bryant's 1954 Aggie squad featured the "Junction Boys," who later won the 1956 Southwest Conference title.**





from the water fountain between the huts, then knock on the coach's screen door.

When Summerlin had a carload, he would pile them into an old black sedan and drive them to the bus station.

There were not many high spots at Junction, but Marvin Tate, a senior guard who weighed around 170, provided one of them. He delivered a hit one day that just echoed over the field. Bryant blew his whistle and stopped practice. "Manager," he commanded, "get this boy a lollipop." He had found a hitter.

It was Tate who came to Bryant later that season and told him that the profanity of the coaches bothered some of the players. On the practice field, the language was sometimes rough enough to make a Southern sheriff blush. But Bryant did another of his unexpected things. He called a team meeting, apologized, and announced a system of fines for swear words: \$10 for him, \$1 for his assistants and a quarter for the players. The money went into a pool, and at the end of the season they used it to pay for a barbecue.

More than half the players who made the long bus ride from College Station dropped out. As more names were released each day, coaches and writers around the country, and no doubt a few parents began to wonder what was going on in the Texas Hill Country. Ramsey's phone started to ring with regularity. The attention didn't annoy Bryant. He was, in fact, delighted to learn that the Southwest Conference press tour would stop at Junction, one day after visiting the Texas Longhorns in Austin.

That comparison made Bryant dry-wash his hands. He didn't exactly invent the art of poor-mouthing, but he advanced it considerably. He was at his best with teams he considered to be underdogs and he wanted the writers, fresh from interviewing Texas, with 100 players in uniform, to draw that contrast with his scrawny little beat-up Aggies. They were all walking around with scabs on their noses and foreheads and elbows.

When the writers stepped out of their custom-made motor home, Ramsey was ready for them. By then the Aggies were down to just 29 players. Blackie Sherrod, the Dallas sports writer and humorist, said Ramsey was the only college publicity man in America who could type his roster sideways, double-spaced, on a single sheet of 8 1/2-by-11 paper. And that was how Jones greeted them, with his roster



**Bryant on the sidelines of the 1955 Texas A&M-Villanova game. Bold and defying, he had the swagger of John Wayne.**

printed sideways, on one sheet of paper.

But something else happened at Junction besides attrition. Out of the dust and broiling heat and the rock patch that served as a practice field grew an extraordinary fellowship. Hemingway called it the bonding of men. The players who survived that camp, and a 1-9 season, would become the team closest to Bear Bryant's heart.

Two seasons later, the squad from Junction would win the Southwest Conference.



**Paul (Bear) Bryant gives Gene Stallings a victory ride following A&M's 20-16 upset win.**

# A&M Continues Miracle Season With Cotton Bowl Win

**By Dick Peebles**  
*Houston Chronicle*

**DALLAS, JAN. 1, 1968** — Until further notice, 1968 is the year of the Texas Aggies, a football team with a split personality.

Taking up where they left off Thanksgiving Day, when they defeated arch rival Texas to clinch their first Southwest Conference championship since

<b>Alabama</b>	<b>7</b>	<b>3</b>	<b>6</b>	<b>0</b>	<b>— 16</b>
<b>Texas A&amp;M</b>	<b>7</b>	<b>6</b>	<b>7</b>	<b>0</b>	<b>— 20</b>

1956, the Aggies started off the New Year in slam-bang fashion today by upending Alabama's Crimson Tide, 20-16, in the 32nd Cotton Bowl Classic.

The victory, engineered in a Dr. Jekyll-Mr. Hyde manner, left no doubt that the Aggies, who had not

*1968 Cotton Bowl, Aggies vs. Alabama*



**Bob Long (42) leaps high for a pass from A&M quarterback Edd Hargett.**



**12<sup>th</sup> MAN**

played in the Cotton Bowl since 1942, definitely are back.

Employing the pin-point passing of quarterback Edd Hargett in the first half, the Aggies jumped off to a 13-10 lead in a game that featured the master (Alabama coach Paul Bryant) against the pupil (Aggie coach Gene Stallings).

The Aggies went to the air 22 times in forging that come-from-behind advantage. Then, in the second half, they played like a team with a broken armed quarterback. They became foot soldiers. They moved on the ground all but 10 of the 52 yards they covered in 10 plays for the winning touchdown in the third quarter. They threw the ball only twice in the second half.

The split personality worked with such outstanding success, that the Crimson Tide, making its 21st bowl game appearance, was even moved to go to the archaic single wing later in the game in an attempt to force the Aggies to lose their poise.

It didn't work. But it did serve to launch the Tide on a penalty-aided last ditch offensive that carried from the Alabama 13 to the Aggie 35 before the Aggies' defensive minions got things under control.

The victory will go down as one of the great ones

in the Aggies' football history that goes back to 1894.

It also was a great personal triumph for Stallings, who played for Bryant at Texas A&M and coached for him at Alabama before becoming Aggie head coach in 1965.

It was the first time in his long and colorful coaching career that Bryant, considered by many to be the peer of the college coaching profession, has ever been beaten by one of his pupils.

And, when the final gun sounded, Bryant, instead of offering the usual handshake of congratulations, reached down, hoisted Stallings to his shoulder and started carrying him off the field.

During the first half of this second meeting between A&M and Alabama, the Aggies were strictly a passing team and a successful one.

They went 43 yards in four plays for the tying touchdown in the first period with Hargett, who had passed for 14 touchdowns during the regular season, hitting Larry Stegent with a 13-yard strike for the score.

Stegent, the brilliant sophomore from Houston St. Thomas, caught the ball at the Alabama 5, pulled away from a would-be tackler and dived headlong into the end zone.



**Tommy Maxwell (81) scores on a 7-yard pass late in the second quarter to give A&M a 13-10 lead.**



*1968 Cotton Bowl, Aggies vs. Alabama*

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**Tide quarterback Kenny Stabler (12) sprints for a 7-yard TD in the third quarter.**

Then, after the Tide had rolled ahead again, 10-7, on a 36-yard second quarter field goal by Steve Davis, Hargett struck again, passing seven yards to Tommy Maxwell, also of Houston, in the end zone with 21 seconds to play, giving the Aggies a 13-10 halftime lead.

For the brilliant manner in which he guided the Aggie offense, Hargett was voted the game's outstanding back.

Then the Aggies thrilled their rooters among the capacity crowd of 75,000 and a national television audience by storming 52 yards for a third touchdown and a 20-10 lead the second time they got the football in the second half.

Wendell Housley, a 210 pound fullback, scored it on a roaring 20-yard burst through left tackle, leaving a string of white-shirted Tide defenders in his wake.

That touchdown served only to awaken the Alabama team. They came roaring right back with the kickoff and, on the fine passing of left-handed quarterback Kenny (Snake) Stabler, went 83 yards in nine plays for the touchdown that put them very much back in the game.

Stabler, who had skirted left end from three yards out for the Tide's first touchdown, carried seven yards over left tackle for the second score that came with 3:55 to play in the third quarter.

From then on the defense of both teams dominated the game, holding the other side scoreless.

The sparkplug of the Aggies was linebacker Bill Hobbs, who was credited with seven tackles and seven assists and was voted the outstanding lineman.

There was some doubt in the minds of witnesses bundled against the 35 degree cold that the Aggie defense was going to be able to hold Stabler and his friends in check consistently enough to win.

For after they fumbled away the ball on first down the first time they had it, Alabama went 80 yards in 10 easy plays.

Big gainers in the drive was a 30-yard third down pass from Stabler to end Dennis Homan and a 14 yard gallop by speedy fullback David Chatwood.

An offside penalty against the Aggies also figured prominently in the drive. The Tide faced a fourth-and-two situation at the 10 and Stabler purposely went into a long count and was successful in getting the Aggies to jump the gun.

On second down at the A&M 3, Stabler made an excellent fake to tailback Ed Morgan, and while the Aggies converged on him, Stabler wiggled untouched around left end for the score. Davis added the point that gave the Tide a 7-0 lead.

The Aggies tied it in exactly three minutes. Maxwell set the stage by intercepting a Stabler pass — one of three the Aggies swiped during the afternoon — at the Alabama 43.

On first down, Hargett passed 28 yards to split end Barney Harris, who had returned just before the

**12<sup>th</sup> MAN**

**A&M halfback Larry Stegent (25) scores on a 13-yard pass in the first quarter.**

opening kickoff after attending his father's funeral at San Antonio. His father died last Saturday following a long illness.

Stegent chiseled two yards through the middle and after a Hargett to Harris pass failed, Hargett passed to Stegent for the score. Bobby Riggs of Galena Park, Tex., added the tying conversion.

On the first play of the second quarter Davis booted a 36-yard field goal — the second longest in Cotton Bowl history, putting the Tide in front again, 10-7.

That's the way it was as the first half drew to a close. Then the Aggies got a break when Perry Willis fumbled at the Aggie 44 after catching a 10-yard pass from Stabler and Jim Piper recovered.

Hargett took the Cadets 56 yards in eight plays. He hit on a 17-yard pass to Maxwell, a 21-yarder to

Tom Buckman and a 14-yarder to Stegent during the drive.

The pass to Stegent carried to the Alabama 7. The big sophomore made a sensational catch. He caught the ball one handed, bobbled it and then grabbed it with both hands as he fell to the ground.

On the next play, Hargett passed to Maxwell in the end zone for the score. But this time Riggs, who kicked 15 of 18 extra points during the regular season, missed. Still, the Aggies led, 13-10.

Big gainers in the Aggies' third quarter scoring drive included a 10-yard pass, Hargett-to-Harris, and a 13-yard run by Housley, before the 6-2, 210-pound fullback, broke loose on his 20-yard touchdown jaunt. Riggs regained his touch and his conversion made the score, 20-10.

Stabler passed to Danny Ford for 19 yards and to Homan for 22 in the Tide's offsetting scoring drive that immediately followed the Aggie score. The Tide then went for a two-point conversion but Lynn Odom, Bill Kubecka and Buster Adami smeared Chatwood trying to run up the middle.

Time was running out on the Tide and the Aggies had Alabama backed up on its 13 with four minutes to play when the Tide came out in a single-wing formation. Stabler threw twice from it, connecting once with Homan for six yards on fourth down from the 19 when 11 yards were needed.

But, instead of taking over at that spot, the Aggies did not allow the enemy to get past the A&M 35 as they preserved the hard-fought victory, their third in eight bowl appearances and their second in three Cotton Bowl visits.

The game had a most encouraging overtone for the Aggies, who lose only five players from the winning squad.

The loss was the seventh for Alabama in 21 bowl games. But, then Southwest Conference teams have been a nemesis to the Tide in bowl visits against a SWC team — Texas tied the Tide, 3-3, in the 1960 Bluebonnet Bowl, defeated it 21-17 in the 1965 Orange Bowl and the Aggies upended them today.

It was Alabama's third Cotton Bowl game. It defeated the Aggies, 29-21, in 1942 and lost to Rice, 28-6, in 1954



## A Ride On a Bear

**By Dick Peebles**

*Houston Chronicle*

As the capacity crowd chanted the final seconds of the 32nd Cotton Bowl game — six, five, four, three, two, one, yeah — a grinning Gene Stallings pulled away from a couple of his Texas Aggie players who sought to hoist him to their shoulders.

Stallings patted the players lovingly on their shoulder pads and headed for midfield where a big man in a houndstooth hat, red blazer and hunting boots was heading in his direction.

The man under the hat and inside the blazer and the boots was Paul Bryant, the man they called Bear because he once wrestled one in his hometown of Fordyce, Ark. And not because he has a personality of a grizzly.

Bryant, though his team had just been beaten, 20-16, and he would rather cut off an arm than lose, was also grinning. This defeat was something different. It was like a father losing to a son. Stallings had played for Bryant at Texas A&M and had coached for him at Alabama before becoming head coach of the Aggies in 1965.

Such an occasion called for more than the usual friendly handshake between winner and loser. And, as usual, Bryant was equal to the occasion. He just bent over, clutched Stallings around the knees, and hoisted him to his shoulder, and started carrying him off the field.

It was the first time in the 23 years he has been a head coach, that Bryant had been beaten by one of his pupils.

Paul Dietzel, who had once been an assistant coach under Bryant, came back to beat the old master a few years ago when Dietzel was head coach at LSU and Bryant was at Alabama.

But, this was something different and, as the two men — Bryant and Stallings — walked off the field, it was difficult to tell which one was happier. They parted to go to their respective dressing rooms for a few words with their squads.

The proud, happy Aggies presented one of the game balls to Stallings. Then they awarded another to split end Barney Harris, a 19-year-

old sophomore from San Antonio, who earlier in the day had attended his father's funeral.

After the services, Harris flew to Dallas arriving before the game, but after the Aggies had reached the Cotton Bowl.

Harris' father had died Saturday following an extended illness and Barney's fellow players felt he showed team spirit above and beyond that which is necessary in returning in a time of personal grief to play a football game.

Soon the door to the Aggie dressing room opened and Bryant strolled in and began congratulating the players individually. Seeing Stallings' father, Bryant asked in mock seriousness, "what are you smiling about?"

The elder Stallings who had the answer for the Bear just as his son's team has the answer for the Alabama team.

"Don't you come around here complaining," said the coach's daddy. "You taught him."

Bryant laughed and hugged the elder Stallings.

Cotton Bowl appearances and victories have not been a regular diet for Aggies and they were making the most of it. You couldn't blame them. They had been waiting 26 years for this day. They wanted to hang into it and make it last as long as possible.

The last time A&M played in the Cotton Bowl was Jan. 1, 1942. Alabama was the opponent that day, too. And though the Tide made only one first down, it won the game, 29-21.

The year before the Aggies had nosed out Fordham, 13-12, in the Cotton Bowl game.

Today's victory was a tremendous one for the Aggies. And for the Southwest Conference. The Aggies finished the regular season with a 6-4 record, hardly one to interest bowl game promoters. But the fact that their six victories came in succession and provided them with their first SWC title since 1956 made them heirs to the Cotton Bowl bid.

By their victory over Alabama, in which they proved their mettle by twice coming from behind, the Aggies showed the world they belonged in the bowl and they're a better team than their record would cause one to believe.



**Aggie quarterback David Walker (8) signals a touchdown after George Woodard's third-quarter TD.**

## *A&M Rips Royal & Lornghorns Again*

**By Dick Peebles**  
*Houston Chronicle*

**AUSTIN, NOV. 25, 1976** — Any of the 60,000 UT fans among the 70,000 ticket buyers who showed up in rain-drenched Memorial Stadium on Thanksgiving night looking for a surprise didn't get it.

The 83rd football meeting between the universities of Texas A&M and Texas produced the expected

<b>Texas A&amp;M</b>	<b>0</b>	<b>9</b>	<b>11</b>	<b>7</b>	<b>—</b>	<b>27</b>
<b>Texas</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>—</b>	<b>3</b>

results. The Aggies won just as they were favored to do. Only the margin of victory, 27-3, was more than expected.

The Aggies went into this highly emotional Turkey Day contest favored by seven points, but instead



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**A&M's defense kept Texas quarterback \_\_\_\_\_ (17) on the run all afternoon.**

scored one of their most impressive triumphs in the series that goes back to 1894.

For the first time since 1939, Texas failed to score a touchdown against their arch rivals.

You have to go all the way back to 1911 to the last time the Aggies defeated the Longhorns two years in succession.

And the victory was only A&M's second in Memorial Stadium since the playground was built in 1924.

The Longhorns made it close for two quarters, but the Aggies settled it by scoring 10 points the first two times they had the ball in the third period. That upped their lead to 17-3 and erased whatever hopes the Longhorns had of pulling an upset.

The Aggies' 1-2 punch of sophomore fullback George Woodard and freshman halfback Curtis Dickey, the greatest in the school's history, was just too much for the Longhorns.

Woodard, the 245-pound bulldozer, pounded for 109 yards in 29 carries on the slick Astro turf; and Dickey, the 198-pound swifty, got 55 yards in 14 carries. Their 164-yard aggregate gave them 1,879 yards for the season, surpassing the mark of 1,865 yards that Bob Smith and Glenn Lippman set in 1950.

Woodard, voted the outstanding offensive player in the regionally televised game, scored twice on runs of one and two yards, upping his season's record to 17 touchdowns. Dickey got the other on a seven-yard sprint. He also ran for a two-point conversion.

Tony Franklin, the Aggies' barefooted kicking specialist, booted field goals of 57 and 21 yards and converted one extra-point kick following one touchdown. He also missed two field goal tries and had an extra-point attempt go awry.

Against what Texas coach Darrell Royals calls "the best defensive team in the nation," the Longhorns' only score came on a 32-yard field goal by Russell Erxleben in the second quarter.

Plagued by injuries; the Longhorns used a "broken wishbone" offense 70 percent of the time, trying to generate an offense. On the "broken wishbone" only two backs line up behind the quarterback. The other back flanks to the right or left. But it was to no avail.

However, the Longhorns did produce 73 yards rushing, which was encouraging after being held to 24 yards by Houston and 14 by Baylor.

Texas finished with 125 yards total offense, but 88 of those were wiped out by 11 penalties for 88 yards.

The Longhorns also lost the ball four times on fumbles and three times on pass interceptions.

One Aggie touchdown and a field goal followed crucial Longhorn penalties.

Emory Bellard, the first A&M coach since Charley Moran to beat Texas two years in a row, had a clinical appraisal of the victory.

"We played field position as well as you can," he said. "Our defense played super. We had a couple of more opportunities to score, but the Texas defense is tough, Texas made some mistakes and we were able to capitalize on them. I thought the touchdown drive just before the half was important. We felt we had to come out in the third quarter and get another touchdown to be in good shape. That's exactly what happened."

Franklin missed field goal attempts of 50 and 20 yards in the first quarter before breaking the scoreless deadlock with a 31-yarder with nine minutes to go in the second period. It was his 16th of the season, setting a Southwest Conference record.

Erxleben tied the score at 6:41 to go with his 32-yarder, but the Aggies established their superiority by taking the following kickoff and driving 85 yards in 13 plays for their first touchdown. There were just 31 seconds to go in the half when Dickey sprinted wide around the right side from seven yards out for the score. Franklin's extra point try was wide.

On the third play of the second half, Mark McBath, Texas' freshman quarterback, lost the ball when hit by Tank Marshall and Roderick Reed, filling in for the injured all-America linebacker Robert Jackson, recovered at the Texas 19. It took the Aggies seven plays to score with Woodard diving across from the one. Dickey ran across the extra-point try, upping the Aggies' lead to 17-3.

On their next possession the Aggies went from their 30 to the Texas 40 and on fourth down Franklin booted a field goal from the UT 47. It was his 10th of the year over 50 yards, a National Collegiate Athletic Association record.

The Aggies' final score followed Eugene Sanders' recovery of Johnny (Lam) Jones' fumble at the Texas six. Three plays later Woodard crashed over from the one.

With the victory the Aggies finished the season with a 9-2 record. Their losses were to Houston and Texas Tech. Ranked 11th and 12th in the two wire service polls, the Aggies will play Florida in the Sun Bowl at El Paso on Jan. 2.



# **ADD 1976 A&M-UT GAME PHOTO**

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**Texas A&M's Curtis Dickey (22), gets loose on a 69-yard TD run in the first quarter.**

## *Dickey Runs Wild as A&M Stuns Penn State*

**By Jerry Wizig**  
*Houston Chronicle*

**STATE COLLEGE, PA., SEPT. 22, 1979** —

Curtis Dickey buried forever the notion that he can't play "hurt" and his Texas Aggie teammates bludgeoned proud Penn State 27-14 today before 77,576 stunned witnesses, including scouts from the Cotton, Sugar and Fiesta Bowls, in Beaver Stadium.

<b>Texas A&amp;M</b>	7	7	7	6	—	27
<b>Penn State</b>	7	0	0	7	—	14

Disregarding a bruised shoulder and sore back, Dickey carved three touchdowns and 184 yards rushing out of the No. 6-ranked Nittany Lions to lead the charge to the Aggies' first win of the season after losses to Brigham Young and Baylor. Dickey's





69-yard sideline trip to A&M's first touchdown of the day seemed to inspire the Texans after one of those early, costly miscues that seemed to portend another day of doom.

Despite Dickey's position as A&M's career rushing record-holder, the 6-2, 205-pound senior from Bryan has heard the whispers that against the tough teams,

he tended to soften, especially when he was playing with minor injuries.

You'd never convince the Lions or their coach, Joe Paterno, who lost for the first time ever to a Southwest Conference school since becoming head coach here 14 years ago. In fact, the Aggies became just the ninth visitor to win at Penn State in Paterno's



**Aggie coach Tom Wilson enjoys a victory ride after his team's upset win.**

74 home games since becoming head coach in 1966.

"I don't know how you could hit Curtis any harder," Aggie quarterback Mike Mosley brought up the "knock" on his good friend. "Nobody could take more than Curtis took today and you saw what he did. I hope I never have to read or hear that bleep again."

Dickey's speed to the flanks with pitchouts from Mosley constantly flustered the Penn State secondary, a suspect unit before the season after losing All-American Pete Harris and another starter, Karl McCoy, on grades over the summer. The 9.4 sprinter type, runner-up in the NCAA 100 meters, dashed 11 yards to A&M's second score following linebacker Doug Carr's fumble recovery late in the second period, dashed 21 yards midway of the third quarter and set up David Brothers' 1-yard dive with a 33-yard trip to the Lions' 2. David Hardy booted the extra-point kicks after the Cadets' first three touchdowns.

Mosley was benched at the outset in favor of freshman Gary Kubiak of Houston St. Pius, with Head Coach Tom Wilson determined to throw against a defense which led the nation last year. But Kubiak, passing on the game's first play from A&M's 20, suffered a hyperextended elbow, and Mosley, ill early in the week, hustled off the bench.

Two plays later, Mosley, who'd been involved in most of the seven costly fumbles A&M had lost in its first two games, bobbled a handoff to Brothers, the fullback. Matt Millen, one of the Lions' pair of defensive tackles (with Lombardi Award winner Bruce Clark), recovered at A&M's 24.

From there, the Lions scored in five plays, Booker Moore plunging the final 3 yards and Herb Menhardt converting following Matt Suhey's 15-yard jaunt.

The Aggies shrugged it off, however, rebounding to a 7-7 tie in two plays. Dickey ran for 11 on a draw, then took Mosley's quick pitch to the right, got a block at the corner from guard Ed Pustejovsky and went sailing down the sideline untouched just 38 seconds after the Lions' tally.

"That was the first positive, good thing that had happened to our football team," Wilson later described its effect on the Aggies. "No question, it meant a lot to us. There comes a time for every football team when you have to get it done, and today was that time for us."

Menhardt missed a 37-yard field goal in the second quarter after the Lions drove to A&M's 21,

and a few minutes later State quarterback Dayle Tate fumbled the center snap and Carr claimed it at State's 46.

Mosley, constantly eluding a horde of rushers with his open-field speed and quickness, tore away from Clark and sprinted for 18 with a 15-yard personal foul penalty tacked on.

An offside penalty nullified a 14-yard sack of Mosley, and three plays later, Dickey eluded Clark behind the line, Pustejovsky again cleared the corner, wide receiver David Scott shielded off a defensive back, and Dickey easily made the 11-yard distance to the goal-line flag.

Ahead 14-7 at the half, A&M benefited from good third-quarter field position though failing to score on Carr's interception and 15-yard return to State's 30.

Following a 29-yard punt to the 50, the Aggies scored in six plays. Mosley pitched to Dickey, took Dickey's pass and wiggled for 18, then gained an important two and a first at the 21 on fourth and one. The quick pitch to Dickey worked again on the next play for A&M's third score and a 21-7 margin at 7:16 of the third quarter.

"On Curtis' long run, I pulled and got the rover, and it was all over, with Curtis' speed," explained Pustejovsky, a senior from Houston Spring Branch. "They were coming up fast to protect the corners, and later they changed it up a little. On the other TD, I think I got one of the defensive backs."

Curt Warner, the freshman from Wyoming, W. Va., who was the national back of the week in his first college game last week, broke for 21 yards in Penn State's 61-yard move to A&M's 18 with the ensuing kickoff.

Then there occurred another of the game's big plays, with Suhey stopped short of a first down on fourth and one. "I don't know," Paterno said of the spot where the official put the ball. "It was one of those days when everything went wrong. The referee took about 10 seconds (on a roughing the kicker penalty against State). That's the big play, and all of them went to A&M. I always feel that if you get those kind of plays then you're working harder than the other guy."

Suhey said, "I thought I had the first down and I just thought it was a bad spot on the official's part but he told me my knee had touched. But other than that, our offense just didn't execute."

Early in the fourth quarter, Scott returned a punt 33 yards to State's 35. On the next play, Mosley



**A&M quarterback Mike Mosley tries to shake loose from Penn State defender.**

started right, then pitched back to Dickey and he traveled to the 2 before linebacker Steve Griffith pushed him out of bounds. On third down Brothers dove over the right side for a 27-7 lead with 10:45 remaining.

Tate, the successor to graduated all-American Chuck Fusina at quarterback, finally began connecting with the open receivers he'd missed earlier, passing the Lions most of the way in their 66-yard advance to their second TD. Tate, sidelined most of last year with a shoulder injury, passed for 57 yards in the drive, including the final eight yards to Suhey with 7:54 to play.

After that, Mike Guman fumbled away a reception at A&M's 49 and Tate slipped and fell on the slippery grass on fourth at the Aggie 22 in the final half-minute.

No one argued with Wilson in the pandemonium

of the Aggie dressing quarters when he handed the game ball to Dickey. His near 6-yard average on 31 carries produced the highest individual rushing figure against the Lions since North Carolina State's Ted Brown gained 251 in 1977. Only two other players have rushed for three touchdowns in a game — the last time in 1970.

Dickey raised his career total to 3,255 yards to move past Texas' Chris Gilbert as No. 4 on the all-time SWC list. "I was hurting a little," said Dickey, who wears a back brace and an inflatable shoulder pad, "but I wasn't going to let anything keep me from playing in the biggest game of my life."

Mosley, who missed two days of practice last week, said, "I knew I'd be going in the second or third series, so there wasn't any problem in being prepared. It came a little quicker than I thought, and I'm just sorry that Gary got hurt. But maybe I just didn't feel as much pressure. I'd started 14 games in a row. They didn't have a lot of quickness in their secondary, and we felt if Curtis could get around the corner, he'd have a chance for some big yards. We could outquick them, and we wanted to move the ball enough inside to keep them honest.

"I guess everybody had kind of written us off against this team, but we hadn't. We still had faith in ourselves, we just had to hang together and quit making mistakes."

In perhaps their biggest intersectional triumph since Gene Stallings' 1965 team beat Georgia Tech, 14-10, at Atlanta, the Aggies did not make another mistake after losing that first, early fumble. David Appleby's 41.3-yard average on 12 punts was another big factor. The Aggies outrushed Penn State by 259 yards to 147, Tate passing for 191 yards but completing just 13 of 30. Linebackers Mike Little and Carr were credited with 13 and 12 tackles, respectively, in A&M's defense, with the front four of Jacob Green, Arlis James, James Zachery and Paul Pender helping to hold Warner to 65 yards on 14 carries.

Penn State defensive end Gene Gladys figured, "Mosley impressed me more than Dickey because he turned broken plays into long gainers. Dickey has speed, but that's about it." Millen added, "Nothing against Dickey, but he's no Tony Dorsett. We are not as good a team as everyone thinks we are"

Dickey may not be a Dorsett, but for the Aggies, he's their bread and butter man, as he proved again in State College.





**A&M quarterback Craig Stump led the Aggies to their first win over Texas since 1980.**

## *Stump-led Aggies Pile-on Points Against UT*

**By Eddie Sefko**

*Houston Chronicle*

**AUSTIN, DEC. 1, 1984** — The sign at that noted shoe establishment, Bevo's Boot Barn, said it all for University of Texas fans.

"Go Rice."

In Austin, at least, it was a given that UT would wipe out Texas A&M without so much as breaking a sweat. All the Longhorns had to perspire about was Rice's game against Houston. An Owl victory and UT would be in the Cotton Bowl.

Midway through the third quarter, UT partisans at Memorial Stadium quit worrying whether Rice could pull off the upset.

<b>Texas</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>7</b>	<b>—</b>	<b>37</b>
<b>Texas A&amp;M</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>6</b>	<b>—</b>	<b>12</b>

Two clutch defensive plays by Texas A&M safety Domingo Bryant in the third stanza complemented a strong offensive surge led by quarterback Craig Stump as the Aggies pulverized the Longhorns, 37-12, tonight. The point total was the most the Aggies have ever scored against Texas.

The Aggies, 6-5, gained a measure of respect during the season's last two weekends by beating two Top 20 teams. Last week they knocked TCU from the elite ranks. This week, they humiliated Texas.





"Tonight, our players knew they were going to win," said Aggie coach Jackie Sherrill. "And they went on the field knowing they were going to find ways to win."

"This is one of the greatest wins I've ever been associated with. This is probably the first time in many, many years that Texas has been dominated up front like we dominated them tonight."

The Aggies controlled the line of scrimmage on both sides of the ball.

So poor was the Longhorns' performance that they considered rejecting their postseason opportunity.

When it became apparent UT was going to close the season with consecutive losses, Athletic Director DeLoss Dodds said the Horns were considering turning down their invitation to play in the Freedom Bowl at Anaheim, Calif., on Dec. 26 against Iowa.

A meeting was scheduled Sunday morning of the UT brass, but things never got that far. A vote of players in the locker room after the game yielded a unanimous vote for the trip.

Nobody could blame Dodds for thinking about

scuttling the bowl trip. Against A&M, the Longhorns (7-3-1) embarrassed themselves in front of 81,309, the third largest paid crowd ever at Memorial Stadium, as well as on ESPN in front of a national cable television audience.

But the players' voice ruled.

"We are going to play in the Freedom Bowl," said UT coach Fred Akers. "We're going to pick ourselves up and go out there and play a real football game."

The Longhorns certainly wouldn't be accused of such tonight.

A&M looked like the bowl-bound team. The Aggies are finished for 1984. But if the way they finished is any precursor to what they might accomplish next season, 1985 just might be A&M's year.

The Longhorns' defense helped make Craig Stump look more like Craig Morton. The Aggies' redshirt freshman riddled the UT secondary in the first half and led his team to 455 yards in total offense for the game. A&M had 278 yards in the first half alone against a UT defense that was surrendering an average of 281 per game.



**Jackie Sherrill enjoys his ride off the field at Memorial Stadium — this would be the first of A&M's six-straight wins over the Longhorns.**

## 12<sup>th</sup> MAN

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**Texas quarterback Todd Dodge (16) is corraled by four A&M defenders.**



**A&M's Thomas Sanders (23) darts through the Longhorns' secondary.**



"I told our team that the difference between these two teams is that we had an established, solid quarterback situation," Sherrill said. "We are settled there and Craig played like a veteran."

The defense turned in an equally superior effort. And the pair of big plays by Bryant helped put the Longhorns out of their misery.

The junior broke through to block a 27-yard Jeff Ward field goal attempt. The ricochet bounced into the arms of Scott Polk, who sailed 76 yards before he was caught from behind by holder Rob Moerschell.

That break eventually netted Eric Franklin's 18-yard field goal, his third of the game, for a 23-0 A&M lead.

"I had tipped their first field goal and I got through clean on the second one," said Bryant. "I have to thank the inside guys for putting on pressure so I could get around on the outside."

On UT's next possession, quarterback Todd Dodge's pass to tight end William Harris was picked off by Bryant at the Aggies' 32. That set up a precise 68-yard drive that put the Ags ahead, 30-0, and shoveled the last bits of dirt on the UT grave.

The Longhorns avoided a shutout with two TD passes, but Stump was king of the quarterbacks in this game. He finished with 11-of-22 passing for 168 yards. He tossed two TD's and also rushed for 28 yards on five tries.

The Aggies had six possessions in the first half and scored on four of them.

There was no question of their dominance. The Aggies picked up where they left off last week, when the offense purred to a 35-21 strumming of TCU.

On their first possession, the Aggies controlled the ball for 5:03, shredding the Horns for 60 yards and eventually taking a 3-0 lead on Franklin's 37-yard field goal. Later, Franklin would add a 36-yarder to give A&M a 20-0 lead at halftime.

UT's offense struggled. For the game, the Horns had only 80 yards rushing on 30 attempts. Aggie defensive tackle Ray Childress was at the right place all of the time, shutting down Texas runners and pressuring quarterbacks Todd Dodge and Stafford consistently.

When Dodge was stopped short of a first down on a forced scramble midway through the first half, A&M took possession at its 42-yard line.

A penalty pushed them back, but a near-perfect pass from Stump to tight end Mark Lewis on second and 19 went for 32 yards to the Texas 35.

When UT defensive back John Hagy was guilty of pass interference against Jimmy Teal in the end zone, the stage was set for Anthony Toney's 2-yard burst for a 10-0 lead with 2:08 left in the first quarter.

Texas' lone threat in the first half was Jeff Ward's attempted 52-yard field goal into a mild breeze. He was off to the left, though he had enough distance.

Early in the second quarter, the Aggies went 49 yards in five plays for Stump's 7-yard pass to split end Jeff Nelson for a 17-0 lead.





**Aggie quarterback Kevin Murray (14) signals an A&M touchdown after Roger Vick crosses the SMU goal line on a 1-yard dive before halftime.**

# Murray's Late Pass Lifts A&M Past Mustangs

**By Al Carter**  
*Houston Chronicle*

**IRVING, NOV. 1, 1986** — One way or another, Texas A&M's Keith Woodside was headed for the woodshed.

The only question, as Kevin Murray's fateful pass took wing today, was whether Woodside would be feeling the strap or dealing the strap. Like Aggie fans, the SMU Mustangs may never sit down again.

Woodside latched onto two long TD passes in the second half, including a 34-yard strike with 1:48 to play that gave the Aggies a wild 39-35 victory over SMU at Texas Stadium.

Two plays before his game-winning catch,

<b>Texas A&amp;M</b>	<b>10</b>	<b>7</b>	<b>8</b>	<b>14</b>	<b>— 39</b>
<b>SMU</b>	<b>7</b>	<b>14</b>	<b>7</b>	<b>7</b>	<b>— 35</b>

Woodside dropped a pass that, for a second, appeared to doom a last-ditch A&M drive. Alas, the Southwest Conference's only unbeaten team managed to land on its feet again, this time in a game featuring seven lead changes.

Said Aggie coach Jackie Sherrill: "We find a way to win better than any other team I've ever been around."

Woodside, A&M's junior tailback, hauled in a 50-yard bomb from Murray with eight seconds left in the third quarter as A&M began its comeback from a





28-17 deficit. The cadet cavalry was in full gallop as the Aggies, trailing 35-32, took over at their 49-yard line with 2:37 remaining.

Just as quickly the No. 10-ranked Aggies appeared ready to retreat, ready to bind their first wound since a season-opening loss to LSU. Tight end Rod Bernstine dropped a pass. So Murray tried Woodside. He, too, dropped the ball.

But Murray, whose magical performance against Baylor inspired the Aggies to a 31-30 comeback victory two weeks ago, had yet another trick up his sleeve. The junior from Dallas, Tex., playing for the first time in Texas Stadium, got his head in the way of a forearm delivered by SMU defensive tackle Jerry Ball a split second after his toss to Woodside.

Ball was called for roughing the passer. The Aggies had new life at the SMU 36.

After a 2-yard carry by fullback Roger Vick, the Aggies called the same pass play to Woodside.

"On the first one, I didn't get my hand turned around," Woodside said. "I came back and Kevin was looking at me like 'You should have caught that ball.' They called it again. I just said, 'I better catch

this one.' "

The Aggies happened to catch SMU in a blitz that enabled Woodside to break free of safety Franky Thomas over the middle. The ball stuck in Woodside's mitts and Woodside stuck it in the end zone for the victory.

The Aggies, 7-1 overall and 5-0 in SWC play, now take a week off to await an Arkansas-Baylor matchup next Saturday in Waco that could bring down the curtain on the SWC race.

The Razorbacks, the only once-beaten SWC team, can set up a Nov. 15 showdown with A&M by beating the Bears. If Baylor wins, the Aggies will own a two-game lead on the field and be within a hair of locking up a second successive Cotton Bowl berth.

Murray did not enjoy one of his better days, but still completed 17 of 34 passes for 278 yards. Woodside caught five for 134 yards and Bernstine 6 for 88. But Murray's presence in the pocket plainly inspired his teammates, who for a while, seemed bent on a repeat of their collapse against LSU.

Murray's performance prompted Sherrill to make a belated nomination for the Heisman Trophy.



**A&M's Vick finished the game with 118 yards rushing and 1 TD on 26 carries.**

**12<sup>th</sup> MAN**

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**A&M receiver Rod Harris (17) jumps high for a pass over the middle against the Mustangs.**

"If I had a vote, I'd vote for him," Sherrill said. "He's played better than anybody I've seen. There's no question he's the best player in this league."

Said Murray, a bit sheepishly: "Coach is just happy."

The first of three November road tests for the Aggies was played in friendly surroundings — a crowd of 58,125 dominated by towel-waving A&M fans. The only home advantage not granted the Aggies was aid and comfort from game officials, whose blown second-quarter call gave SMU a touchdown on what should have been an A&M fumble recovery.

"The breaks were against us all day," Murray said. "We felt that something just had to come our way and it finally did."

It came in the form of the roughing call against Ball. Without that penalty, what then?

Sherrill shrugged his shoulders.

"We'd have won it somehow," he said.

"Kevin's always going to make things happen," Vick explained. "All you have to do is hang in there and believe."

"He can put it in the end zone in a New York second," cornerback Chet Brooks said. "And that's faster than light there."

The Mustangs, now 5-3 and 4-2 in league play, added a new twist to their offense. Flanker Ron Morris, deployed at wingback much of the day, carried an option pitch 37 yards on the game's first play. SMU grabbed a 7-0 lead as Cobby Morrison scored from 3 yards out.

A&M rebounded for a 10-7 lead as Scott Slater kicked a 36-yard field goal and Murray found Bernstine for an 18-yard TD strike late in the first quarter. Then came the slugfest's phantom punch.

After a short A&M punt, the Mustangs drove to the A&M 1-yard line early in the second quarter. On second down, tailback Jeff Atkins fumbled the ball into the end zone where Brooks recovered.

While Aggie players celebrated, line judge Roger Rogers ruled that Atkins was in the end zone before the fumble. SMU used the TD to take a 14-10 lead.

Replays showed that Atkins coughed up the ball at the 2-yard line.

"He didn't have control of it from the beginning of





**Kevin Murray (14), who completed 17 of 34 passes against the Mustangs, flings a pass to Keith Woodside on the game-winning drive.**

the play,” Brooks said. “The referees got us on that one.”

The Aggies retaliated late in the half as Murray passed to Bernstine for 31 yards and Woodside for 21. With 1:36 left, A&M took a 17-14 lead on a 1-yard TD blast by Vick, who punished the Ponies by rushing for 118 yards on 26 carries.

Still, SMU managed another score in the remaining time. Mustang quarterback Bobby Watters tossed a pair of 13-yard passes to split end Jeffrey Jacobs. With just 11 seconds on the clock, Watters fired a 10-yard TD strike to tight end Albert Reese for a 21-17 SMU lead at halftime.

A fumble haunted the Aggies on the second-half kickoff. A&M returner Rod Harris lost the ball and, with the referees watching, SMU’s Brad Peveto recovered at the A&M 14. Atkins scored from a yard out to hike SMU’s lead to 28-17.

Only then did the A&M defense come to grips with the Mustang threat. Led by defensive end Jay Muller, who accounted for two of A&M’s six sacks, the Aggies unloaded on Watters. Murray, however, was having his own problems. He fumbled away

one series and was sacked by SMU’s Ben Hummel on another aborted drive.

But with 41 seconds left in the third quarter, Vick ripped off a quick 13 yards to midfield on a first-down play. Woodside then made a sensational catch behind two defenders deep down the left sideline for a 50-yard-scoring strike. Murray’s two-point pass to Bernstine sliced SMU’s lead to 28-25.

Minutes later, Harris atoned for his fumble with a 40-yard punt return to the SMU 27. Vick picked up 10 yards with a key third-down catch and then scored from 4 yards out.

Trailing 32-28, the Mustangs rallied behind Watters. The SMU junior passed to Morris for 24 yards. From the A&M 23, Morris took another wing-back pitch and crashed untouched down the left sideline. SMU led, 35-32, with 7:33 left.

With 5:34 remaining, SMU had the lead and the ball, but went nowhere as Watters was again sacked by Muller.

The Aggies wisely used two timeouts to give Murray 2:37 of clock to work with-an eternity for a quarterback who needs only a New York second.

# The Wrecking Crew

**By Jonathan Feigen**

You can list linebackers all day and never repeat yourself. You can talk about NFL prototypes from Johnny Holland to Quentin Coryatt to Reggie Brown. You can delight in the memories of assorted Klingler Killers, from William Thomas to Marcus Buckley. You can go on and on about Larry Kelm, John Roper, Jason Atkinson, Antonio Armstrong and Keith Mitchell. You can build momentum until you get all the way to Lombardi Award winner Dat Nguyen, who had more tackles than any of them.

Or you can talk about defensive backs. You remember the days of Kevin Smith or Aaron Glenn fondly. And if you're in the mood to show off, you can talk about everyone from the cerebral Kip Corrington to the burly Patrick Bates, stopping at every Derrick Frazier or Ray Mickens in between.

Prefer linemen? Give them Ray Childress or Sam Adams. Throw out Brandon Mitchell or Eric England. You know your Texas A&M defenses inside and out. You can talk defensive coordinators long enough to fill the second half of the dullest early-season win. You can match any Aggie's knowledge of the best one-liners uttered by Dana Batiste.

As a devoted Aggie, you could do any or all of that and probably have.

We won't.

We start with Chet Brooks.

You know him, of course, as a rapid defensive back, and you probably could drone on about everything from his recruitment, back during the days when A&M began hauling in its pick of talent out of Dallas, to the highlights of his NFL career with the 49ers.

That's all very nice. We merely consider him perhaps the most important A&M defender ever.

Brooks could play, but so could many others. He could not distinguish himself beyond, say, Aaron Glenn, in Texas A&M history strictly by his performance on the field. It was off the field where he forever carved a niche for himself in A&M lore.

That Brooks intended to accomplish no such thing does not diminish his contribution in our eyes. Brooks intended nothing more than to fill a few lines in Larry Bowen's notebook and a few inches in the

next morning's Bryan-College Station *Eagle*. Like Fred Stabley, the Michigan sportswriter who thought some kid named Earvin Johnson played like Magic, or Thomas Bonk, the Houston Post columnist who considered "Phi Slama Jama" a good way to describe the Houston Cougars of the early 1980s, Brooks intended only to describe the A&M defense of the moment.

He called it the "Wrecking Crew." In doing so, he helped attract assorted head-hunter linebackers and sticky man-to-man corners to College Station. He allowed coaches to teach their vision and express their expectations just by mentioning a simple nickname.

He meant no such thing. He had never heard of the Dean Martin flick or the 1973 Tyler John Tyler defense (featuring future Longhorns Tim, Steve and Earl Campbell) of the same name. He just thought it sounded about right.

"It just popped out," he said. "More than anything, I'm surprised it stuck. I was doing an interview and I was asked if we had a nickname like 'Doomsday' or 'Steel Curtain.'"

"I just thought at the time, we had that kind of team where everyone was a big hitter and everyone wanted to make the tackle, not just a tackle, but the tackle."

It more than fit. It described. "Fearsome Foursome" could work for any good four-man defensive line. "Doomsday" could have been applied to any good defense. "Steel Curtain" brings up thoughts specifically of the 1970s Steelers.

But "Wrecking Crew" became more than a moniker because it spoke to everything the Aggies wanted to be and helped them become.

"It started within the team then," A&M coach R.C. Slocum, then the Aggies' defensive coordinator, said. "We started using it some. I remember talking to Bob Davie, who took over for me (as defensive coordinator). We said, 'We got something special here, let's build upon that, let's take advantage of the bonding effect — not just linebackers, or defensive backs or the line, but 'I'm playing on the Wrecking Crew.'"

"We kept it going. We had kids that wanted to play for the Wrecking Crew. They wouldn't just say,





**Ray Childress, a defensive tackle, was named an all-American in 1983 and '84. He later played for the Houston Oilers.**

"I love the way the defense plays." People would ask, "Why did you pick A&M?" And they would say, "to play for the Wrecking Crew."

It was a philosophy, a defensive style that now is the norm but then was unique. Rather than to read and react or control gaps, the Aggies attacked. They blitzed and wrecked offenses.

Other defenses facing the Southwest Conference's misguided affair with the run-and-shoot and other pass-happy offenses loaded up on defensive backs and flooded zones. Instead of removing linebackers, A&M emphasized their strength even more by pointing them at the quarterback.

"It's an attitude," Johnny Holland, an original Crew linebacker and twice an all-American, said. "And I love seeing the guys every year saying it's something to live up to, watching those guys go in and do the same things, live up to the style of play."

That has made Brooks' contribution so much greater than just coming up with a clever nickname. By giving it a name, he gave the A&M defense, the heart of the program long after he moved on, a standard to live up to.

"It became a tradition," said Davie, now the head coach at Notre Dame, "an effort level and style of play passed on from player to player."

But though the nickname was well known, it did not immediately become part of the Aggies' tradition, much less a standard.

By 1990, the transition from the final seasons of Jackie Sherrill's reign and the start of Slocum's tenure had knocked the Aggies' defense back toward the Southwest Conference pack. The Houston run-and-shoot stunned the Aggies in the Astrodome, and Baylor pulled out a tie. Texas beat the Aggies in Austin and took the SWC title.

But the A&M defense was a year away, and in the weeks leading to the Holiday Bowl it began to blossom. The Aggies brutalized Brigham Young in San Diego. Coryatt began to realize his potential as an awesome, destructive force. BYU quarterback Ty Detmer, the Heisman winner, completed 11 of 23 passes for just 120 yards before leaving the game with his second dislocated shoulder of the night. The Cougars had minus-12 yards rushing.

With Coryatt and the bulk of that defense back, Davie and Slocum decided to revive and celebrate the aura of the Wrecking Crew label.

Davie had the words printed in large letters on the back wall of the defensive meeting room. The defense was fitted with Wrecking Crew T-shirts and caps. The A&M bookstore, anxious to cash in on the allure of Crew membership, asked to sell the caps but was denied. A cap came only with a place on the A&M defense.

Pictures of the A&M defensive all-Americans, SWC defensive players of the year and NFL first-round draft choices adorned walls. Another featured the most celebrated victims, including Andre Ware, Bo Jackson and Detmer.

"We needed to inject tradition into that thing," Davie said. "I remember talking that summer, then



**Dana Batiste, was a founding member of the Wrecking Crew in the Sherrill era.**

coming back and making it a major, major thing.”

That fall, the Aggies led the nation in total defense. Coryatt was the second player taken in the NFL Draft. A&M won the SWC title, losing 10-2 to Florida State in the Cotton Bowl rain. And the Wrecking Crew became permanent.

“As a coach, you want to establish standards of performance, but it’s best if it comes from within the team,” Slocum said. “When the Wrecking Crew doesn’t play to Wrecking Crew standards, they know without us telling them. There is a high level of expectation to keep up the tradition.”

Since Brooks first gave it a name in 1986, the Aggies’ defense has been among the nation’s top 10 in total defense six times. It has led the team to six SWC championships, two Big 12 South titles and a Big 12 championship. Nguyen (twice), Keith Mitchell, Brandon Mitchell, Ray Mickens, Antonio Armstrong, Sam Adams, Marcus Buckley, Kevin Smith, Patrick Bates, Aaron Glenn, John Roper and Johnny Holland were first-team All Americans.

“It was and is,” Holland said, “fast-paced, all-out, body-slamming defense.”



**Larry Kelm made life difficult for opposing offenses in 1983-86.**

Because Brooks gave a “fast-paced, all-out, body-slamming defense” a more concise name, he more than inspired his successors to live up to the standard they inherited. The aura of the Wrecking Crew has helped A&M land its successors.

When A&M sought to rebuild its program, it could not lean on a long, crowded history of national championships or NFL legends. It lacked the national reputation of Texas, former Southwest Conference rival Arkansas or frequent Texas recruiting invader, Oklahoma. And just as Sherrill was poised to lead the A&M revival, which coincided with the sudden explosive growth of the school itself, national powers were coming into Texas and luring away top talent more successfully than ever before.

But when the Wrecking Crew gave A&M an identity, Aggies coaches could sit in any living room in Texas and with two words capture the image of a fraternity that top Texas players could not help but want to join. The Wrecking Crew helped recruit the next Crew members, and the next Crew members helped enhance the image of the Wrecking Crew.



"From a recruiting standpoint, it does help us a lot," A&M defensive coordinator Mike Hankwitz said. "Players have identified with our style of defense. It's a speed and attacking style, and kids take pride in having a nickname and great tradition. We point to that tradition a lot. Pretty soon, they want to put themselves on the wall with the great Wrecking Crews of the past.

"I hope when they see us play, it reinforces the image. They see us play with great effort, how we utilize speed and quickness, how we're aggressive at the line and scheme and try to be attacking and disruptive. It's a step in that direction to have that tradition, and a lot of players came here because of that great tradition. They're familiar with the tradition, and we keep it in front of them.

"Texas A&M has had such great defensive success, we want players to see that and to want to be part of that. The kids in Texas know about that, but even kids out of state do. On TV, they refer to the Wrecking Crew. It's a catchy phrase. Kids like those things. And we like that kids have familiarity with us. It gives us a little leg up on things."

Before he became the most decorated Crew member ever, Dat Nguyen was the most celebrated example of a player who chose A&M to join its defensive brotherhood. Recruited by Michigan, he chose A&M to join its conga line of gifted line-

backers, ignoring a recruiting haul of blue-chip prospects that winter that had relegated him to an afterthought in recruiting conversations.

Even before he began to so completely distance himself from afterthought status, however, he was among the clearest example of the philosophy behind the Wrecking Crew. He was too small, at 5-11, 205, to stand out in A&M's pick-of-the-litter recruiting class, much less inspire expectations of future greatness.

But from Ed Simonini to Marcus Buckley, the Aggies always had looked for athletes and play-makers rather than impressive numbers on a recruiting list. Nguyen, like so many Crew members before, made plays. Former A&M assistant Shawn Slocum saw him on a basketball court, just as Davie had seen Buckley. By the time Nguyen moved on to the NFL, the Wrecking Crew had another legend, another attraction luring the next members of the fraternity to College Station.

"We do a lot of the same things," Slocum said. "Part of my job as head coach, and it's special to me, something I'm proud of and that has been good to us, is we have worked to keep this thing going. We're aggressive on defense. We want guys that can run and look for that style in recruiting. We want to stay true to what's good to us year after year after year.

"One of the things important you want in any



**Aaron Glenn returns an interception ## yards for a TD against Texas in 1992.**

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business is a well-defined, clear-cut picture of what you want to be. You keep constant when you recruit players. I know what we're looking for as a player. We have guys to fit our scheme, guys who can do it for us. Just like they said Dat was too small for pro football. He's going to play for eight to 10 years. He's undersized, but he has great quickness and instincts.

"It goes back to Ed Simonini and Jeff Fuller. Aaron Wallace, Marcus Buckley, Antonio Armstrong, they all fit the same mold. William Thomas was a high school quarterback and safety. I moved him to linebacker. He was reluctant to do it. I said, 'Just trust me. Do it, and you'll do it for a long time.' The first day I said, 'He's going to be good.'"

He remained good enough to be an impact linebacker in the NFL long after he made the switch and helped establish an identity for the linebackers that followed him. But where he was among the ground-breakers of a defense that once was unique, the style that inspired Brooks to coin the nickname no longer is unusual.

The vast majority of college defenses now blitz from every angle. Most attack on the line and play man-to-man on the corners. And as defenses have adopted a Wrecking Crew style, offenses have

become more adept at passing before quarterbacks are damaged beyond recognition.

"Earlier, in 1985 and '86, when A&M was a pressure defense, people threw more down the field," A&M defensive line coach Bill Johnson said. "Passing games are more controlled now. They're little five-yard passing games. Now we're a little more of a zone pressure team. Protection is better now, there's so much max protection.

"But we're still an aggressive front. Most every team you see has gone to that mode. But it's how you sell it, teach it and how fundamentally sound you are. That's where we're ahead of the game. We've been doing it a long time. We said, 'The heck with this, we'll go break something.'"

"Chet Brooks said something about the defense. 'We're just a 'Wrecking Crew.' It just hung on. What made this thing is the players. It's special for them to play for a name defense. Each group passes that tradition to the next and it just keeps going."

Now you can list all those linebackers and cornerbacks, and we'll be impressed. More impressive, however, is that after you have run off every name from every corner of your maroon mind, you cannot add a period to the end of the list.



**A&M linebacker Johnny Holland (11) chases down a TCU back in \_\_\_\_\_.**





**ADD  
DAT  
NGUYEN  
PHOTO**

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**Dante Hall's second-quarter TD gave the Aggies a 14-7 lead against Nebraska.**

# Aggies Stun No. 2 Nebraska in Historic Win

**By Jonathan Feigen**

*Houston Chronicle*

**COLLEGE STATION, OCT. 10, 1998** —

History, having teased and tormented Texas A&M long enough, locked arms and legs and swayed and rocked with the Aggies, sharing, even enhancing, their joy.

All the near misses. All the reminders of the last step they had not taken, the doubts and detractors were made worth the pain. And the wait made the reward that much sweeter.

Texas A&M shocked No. 2 Nebraska, 28-21, today, and most of the 60,798 squeezed into under-reconstruction Kyle Field celebrated one of the two

<b>Nebraska</b>	<b>0</b>	<b>7</b>	<b>0</b>	<b>14</b>	<b>— 21</b>
<b>Texas A&amp;M</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>— 28</b>

greatest wins in school history as only Aggies-screaming, singing, kissing and finally crying-can.

The second-ranked, defending national co-champion Cornhuskers became the highest ranked team A&M has beaten since the Associated Press poll began in 1936.

If that did not make the win A&M's greatest — that was only because of the 1939 team's Sugar Bowl win over No. 4-ranked Tulane that gave it a national title. The winners of that game received their championship rings today and then saw a victory likely to



be as cherished as theirs.

"This one is for all of us," Texas A&M senior safety Rich Coady said. "For everybody that ever stepped on this field, for everybody that ever practiced, for everyone that wore this jersey, this is unbelievable."

Having been reminded repeatedly of their nine-game losing streak against Top 10 teams this decade, the Aggies declared another step taken toward joining the elite they had been told excluded them.

"It means the world," senior offensive tackle Cameron Spikes said. "It means everything."

A&M broke both the nation's longest winning streak at 19 games and the Cornhuskers' 40-game victory string in regular-season conference games. And the Aggies won without tricks or flukes, leading most of the way before stopping Nebraska's last chance with 51 seconds left.

"There's no consolation in a loss like this," Nebraska receiver Matt Davison said. "But we're Nebraska, so we never thought we were out of it."

Nebraska had cut A&M's 28-7 lead to a single touchdown with a pair of drives that had taken just 2:40 of the fourth quarter. The Cornhuskers had two minutes left to cover the last 80 yards to overtime and had moved to their own 40.

But A&M's Sedrick Curry, in only because Jason Webster had left his finest game with a sprained ankle, intercepted a Bobby Newcombe pass at the Aggies' 43-yard line.

Curry took a few strides upfield, then fell on top of the ball, hugging it tightly while the reality set in around him.

"My first thought was to take it to the house," Curry said, "but I said it was time to get down."

"It was the greatest play of my career."

If Curry's play was the clincher, it was one of many spectacular and, in the end, decisive, moments.

After suffering through an early knockout to the Cornhuskers in last season's 54-15 Big 12 Championship Game rout — remember the Alamodome? — A&M was determined to start quickly and with 7:05 left in the first quarter hit on its longest pass play since 1989.

Chris Cole ran the post pattern that repeatedly burned North Texas two weeks ago, and when the Cornhuskers shifted toward him, A&M quarterback Randy McCown moved in the pocket long enough for Chris Taylor to cross the field.

McCown's pass was just out of Nebraska cornerback Ralph Brown's reach, and Taylor outran the rest of the secondary for an 81-yard score.

The Cornhuskers tied it, but A&M outran the Nebraska defense again, this time with 260-pound freshman fullback Ja'Mar Toombs taking a third-down run 71 yards to the Nebraska 1-yard line. In a remarkable reminder of the Cornhuskers' previous loss (to Texas in the 1996 Big 12 title game), Toombs navigated the final 20 yards by watching the



**Ja'Mar Toombs' 71-yard run set up A&M's second-quarter touchdown.**



## **12<sup>th</sup> MAN**

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**Chris Taylor (42) outruns the Nebraska secondary for an 81-yard TD in the opening quarter.**



*1998: Aggies vs. Nebraska*

JumboTron screen, just as Texas' Derek Lewis saw himself on a big screen and wrapped up the ball to clinch a UT upset two years ago.

"All I was trying to do," Toombs said, "was get three yards and a first down."

Dante Hall covered the final yard for a 14-7 half-time lead. And though A&M had led UCLA and Florida State at the half in the previous "test" games, this one quickly proved different.

The Aggies came up with three consecutive sacks of Newcombe, the last by Ron Edwards knocking the ball loose and into the end zone. A&M linebacker Warrick Holdman recovered for a 21-7 A&M lead, and the Aggies' confidence and control continued to escalate with every play.

After Webster stuffed a fourth-down reverse pitch at the A&M 14, the Aggies not only began to pull away but moved to put the game in the bag very much as Nebraska has so routinely over the past five years. A&M rolled methodically through the rest of the third quarter, with McCown running the option for a first down before scrambling on third-and-seven for 33 yards to the Nebraska seven.

Three plays later, on the first play of the fourth quarter, Toombs crashed into the end zone, and A&M held a 28-7 lead.

Predictably, Nebraska rallied. But that only seemed to add to the joy when Curry finally clinched the win.

And in a fitting answer to the critics of A&M's Top 10 losses, the Aggies insisted they won not in spite of their previous big-game defeats, but because of them.

"It was all about confidence," Hall said. "It started with UCLA (in last season's Cotton Bowl), then Florida State. We kept getting closer and closer and closer and, finally, we got over the hump. We worked and we worked until we finally got it done."

And A&M coach R.C. Slocum got the win that had eluded him and that his detractors insisted would remain beyond his grasp.

"No question about it; this is the biggest win of my career," Slocum said.

And though he mentioned other wins to compare, none really did.

"So much has been said," Slocum said. "You have to take it as a coach. This takes some of the arguments away. I am totally confident this program will get to its rightful place and where we want it to be."

As he was carried off on his players' shoulders, Slocum and his team moved a huge win closer.

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**A&M's Matt Bumgardner (81) snags a 36-yard, fourth-quarter pass.**





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**Dat Nguyen (9) attempts to grasp fleeing Kansas State quarterback Michael Bishop.**

# A&M Stuns Kansas State, Wins Big 12 Championship

**By Jerome Solomon**

*Houston Chronicle*

**ST. LOUIS, MO., DEC. 5, 1998** — The Big 12 Championship Game was supposed to be a mere formality.

Kansas State, a two-touchdown favorite coming into today's showdown with Texas A&M, was one half away from competing for the national championship.

<b>Texas A&amp;M</b>	<b>0</b>	<b>6</b>	<b>6</b>	<b>15</b>	<b>3</b>	<b>6</b>	<b>—</b>	<b>36</b>
<b>Kansas State</b>	<b>10</b>	<b>7</b>	<b>10</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>—</b>	<b>33</b>

But any Wildcats fans who left the Trans World Dome early this afternoon to make reservations for Tempe will have to call back to cancel. The Aggies did not cooperate.

Matching the school's biggest come-from-behind win ever, 10th-ranked A&M rallied from a 15-point

fourth-quarter deficit to surprise No. 2 K-State, 36-33, in double overtime before a loud and mostly purple-clad crowd of 60,798.

Much-maligned quarterback Brannndon Stewart, who learned Thursday he would get the start because of an injury to Randy McCown, threw a 32-yard touchdown pass to Sirr Parker in the second overtime to give A&M (11-2) the win.

The Wildcats were feeling pretty good upon entering the halftime locker room with a 17-6 lead and knowing No. 3 UCLA, ranked a notch above the Wildcats in the Bowl Championship Series ratings at No. 2, had lost to Miami.

But the second half made it a day of redemption for Stewart, who completed 11 of 20 passes for 235 yards and three touchdowns in the fourth quarter and overtime periods, which proved to be the undoing of the championship hopes of Kansas State.

The Wildcats, who were ranked No. 1 in the ESPN/USA Today coaches poll and No. 2 in the Associated Press writers poll, were also trying to win their first conference championship since 1934 but fell to 11-1 with the loss.

"It is very evident that this is a tremendously disappointed and hurt football team — players, coaches, fans," said a solemn Kansas State coach Bill Snyder, as several players who joined him in the postgame news conference cried in the background. "I have so much pride in these players. This may be, in their young lives, the most difficult thing that they have had up to this point in time to handle.

"...The pain that comes from this is there because there was such an emotional investment made by all these young people, far greater than most can ever imagine. The greater the investment, the greater the pain."

There is no such pain for Stewart and the Aggies, who had their slim hopes of a national championship taken away by an upset loss at the hands of Texas last week. A&M rebounded with a spirited performance. "I can't recall ever being this excited about a football game prior to the football game," said Stewart, who started five games this season. "I felt fortunate to have the opportunity to play again. To be honest I didn't feel like I was going to get to play again, because Randy was doing a good job."

Stewart got his chance and made the most of it.

In the final 10 minutes of regulation, he threw two touchdown passes and converted a game-tying two-point conversion throw. After the teams traded

field goals in the first extra period, he answered a second Kansas State three-pointer with a quick slant to Parker, who stiff-armed a defender before diving at the right pylon for the winning score.

Stewart also made it a point to jokingly apologize to his critics in the media for not allowing them to "copy" prior stories of his poor play to use for this game.

Those stories were indeed ready to run, as Stewart struggled to hit receivers through three quarters. The senior from Stephenville, Tex., was 4-for-11 for just 89 yards with an interception when the Aggies found themselves in a 27-12 hole entering the fourth quarter.

His counterpart, Michael Bishop, a first-team All-Big 12 choice from Willis, Tex., was having a stellar game. Bishop finished the day with 19 completions on 28 passing attempts for 341 yards and two touchdowns to go with 101 yards rushing and another TD.

But A&M's defense began the final period by forcing Kansas State to do something it had not done the entire game — punt.

A&M took over at its 22 after that kick and quickly drove 78 yards for a touchdown.

Stewart hit his stride in the march, connecting with Chris Taylor for 35 yard down the left sideline after Kansas State cornerback Gerald Neasman fell down to start the drive, and hitting Chris Cole for 14 yards, Derrick Spiller for 12 and finally Leroy Hodge for the TD from 13 yards out.

Stewart had Spiller wide-open in the middle of the field but drilled a pass to Hodge on the right side instead, pulling the Aggies within a touchdown and two-point conversion at 27-19 with 9:20 to play.

After A&M safety Rich Coady nearly recovered a fumble on the ensuing kickoff, the Aggies defense rose to the occasion a second consecutive time, with Roylin Bradley chasing down the elusive Bishop from behind to force another punt.

Stewart continued his roll, connecting with Spiller, who had all four of his catches (for 92 yards) in the fourth quarter and overtimes, on passes of 26 and 36 yards to move the Aggies inside the Kansas State 20-yard line.

But the drive stalled and ended on downs with Stewart's pass attempt to Taylor being batted down at the line of scrimmage by Wildcats tackle Damion McIntosh with 3:26 to play.

It was time for the Aggies' defense, which allowed 519 yards on the day, to step up once again.



*1998 Big 12 Championship Game: Aggies vs. Kansas State*

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**Sirr Parker (8) sprints for the game-winning, overtime TD to give the Aggies the Big 12 title.**

Especially since A&M had only one timeout remaining.

“When we went on the field right there, we knew we needed to make something happen,” said linebacker Dat Nguyen, who had a game-high 17 tackles.

Linebacker Warrick Holdman made it happen on third down.

Bishop scrambled on the third-and-six play from his own 28 and would have had enough yardage for the first down. But Holdman knocked the ball free, and Cornelius Anthony recovered for A&M at the 35.

Following a 15-yard penalty for offensive pass

interference, Stewart worked his magic once again, hitting Matt Bumgardner, who made a spectacular over-the-shoulder grab for a 36-yard gain to the 14.

Three plays later, Parker went in motion to the right and slipped inside safety Jarrod Cooper for a nine-yard touchdown grab with 1:05 on the clock.

The same combination worked on the two-point conversion attempt to tie the score, forcing the overtime.

Bishop did bring a little excitement by completing a 54-yard Hail Mary pass on the final play of regulation, but Toya Jones tackled Everett Burnett at the two-yard line as time expired.

**12<sup>th</sup> MAN**

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**Terrence Kiel (48) snatches an interception over OU receiver Will Peoples along the sideline.**



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**A&M quarterback Reggie McNeal(16), who threw 4 TD passes against the Sooners, led the Aggies' fourth-quarter celebration.**

## McNeal's 4 TD Passes Lift A&M by No. 1 OU

**By Neil Hohlfield**

*Houston Chronicle*

**COLLEGE STATION, Nov. 9, 2002** — This time, there was no missed extra point in overtime. No interception in the final minute to snuff a potential game-winning touchdown. No fourth-quarter collapse by the defense.

This time, there was only pure, undiluted joy at the end of the game. After a season of underachievement and widespread disgruntlement, Texas A&M shed its frustration with a 30-26 victory over No. 1-ranked Oklahoma today before 84,036 at Kyle Field.

"We haven't had the most outrageous season this year," said A&M senior linebacker Brian Gamble.

<b>Oklahoma</b>	<b>7</b>	<b>6</b>	<b>10</b>	<b>3</b>	<b>—</b>	<b>26</b>
<b>Texas A&amp;M</b>	<b>0</b>	<b>13</b>	<b>14</b>	<b>3</b>	<b>—</b>	<b>30</b>

"We haven't blown anybody's doors off. We haven't made the Top 25. But we knocked off the No. 1 team in the nation at Kyle Field, and not many senior classes have done that."

For the record, none have at A&M.

Sparked by quarterback Reggie McNeal's brilliant performance off the bench, the Aggies (6-4, 3-3 in the Big 12) beat a team ranked No. 1 in The Associated Press poll for the first time in school history. They had been 0-9 before McNeal lived up to the hype that has surrounded his freshman year.



**12<sup>th</sup> MAN**

McNeal completed eight of 13 passes for 191 yards, with four going for touchdowns. He rushed 16 times for 89 yards and had the vaunted Oklahoma defense off balance almost from the time he took over for starter Dustin Long late in the first quarter with the Aggies trailing, 7-0.

By halftime, McNeal had thrown touchdown passes of 61 yards to Terrence Murphy and 40 yards to Greg Porter to pull the Aggies into a 13-13 tie. In the second half, McNeal connected with Bethel Johnson on a 17-yard score and hit Murphy again for a 40-yard touchdown.

In eight previous games, Oklahoma (8-1, 4-1 in the Big 12) had allowed only three touchdown passes. In three quarters, McNeal hit the Sooners for four scores that totaled 158 yards.

"Based on what we saw (in film study), I knew I'd have chances to go deep on them," McNeal said. "I knew I was going into the game and that I would play a little, but I didn't know I'd play almost the whole game. I was able to get in the groove of the game, and that might have helped."

The upset capped a tumultuous week for the Aggies. After losing two straight games to fall to 5-4,

linebacker Jarrod Penright told his teammates in a meeting he believed some of them weren't playing with heart. He then told the media he thought the Aggies had enough talent to beat Oklahoma.

Turns out, he was right on both counts.

"It wasn't a challenge just to the team, but to me as well," Penright said. "We had settled for less in the past, and we had to take advantage of the abilities we've been given."

Later in the week, Texas A&M president Robert Gates gave R.C. Slocum a vote of confidence after questions about Slocum's job security took center stage. After the win over Oklahoma, Gates reportedly was in the victorious locker room singing the Aggie War Hymn with the players.

Suffice it to say that Slocum, though he handled the victory with his usual low-key attitude, was feeling better about things tonight.

"At the time, all wins are special," he said, "but this is certainly a big one. The most pleasing thing is the character of this team. We've had a lot of things not go our way this year, but we stayed positive."

Things did not start well today for the Aggies. On OU's second drive, Quentin Griffin rushed 38 yards



**Aggie receiver Bethel Johnson (9) scores against the Sooners in the third quarter.**





to set up a six-yard TD pass from Nate Hybl to Griffin to make it 7-0.

The game turned in the second quarter when the Sooners twice were unable to score touchdowns after long drives. They moved to the Aggies' five-yard line but had to settle for a 25-yard field goal by Trey DiCarlo with 10:22 left in the first half.

McNeal caught Oklahoma in a blitz and found Murphy alone down the middle for a 61-yard touchdown pass that got the Kyle Field crowd into the game. After Todd Pegram's extra-point kick was no good, the Aggies trailed, 10-6.

On the Sooners' next drive, they chewed up nearly seven minutes and again got to the Aggies' five before bogging down. DiCarlo kicked a 22-yard field goal to make it 13-6 with 1:28 left in the half.

Instead of sitting on the ball, Slocum instructed his offensive coaches to turn McNeal loose. McNeal passed three times for 65 yards, the final one going 40 yards to the back of the end zone, where Porter made a fingertip grab to turn momentum the Aggies' way.

"I thought it important to get the crowd into the game," Gamble said. "We did that with the play to Porter at the end of the half, and it carried over."

On the first drive of the second half, the Sooners' defense was on its heels.

After McNeal ran 33 yards on a third-and-16 to the Oklahoma 45, Joe Weber rushed 25 yards. Oklahoma defensive back Derrick Strait bit on a pump fake by McNeal, who found an open Johnson for a 17-yard touchdown pass to put the Aggies ahead, 20-13.

"We didn't do a good job on the play-action passes," said Sooners cornerback Andre Woolfolk. "It was just a breakdown on our part."

The Sooners answered with 10 quick points on their next two drives to regain the lead 23-20. Hybl hit Curtis Fagan for a 68-yard score to tie the score at 20. After an interception by Oklahoma's Eric Bassey set up the Sooners at the Aggies' 31, they wound up with a 46-yard field goal by DiCarlo.

"We settled for too many field goals," said Oklahoma coach Bob Stoops. "That will get you, especially in games on the road."

It did. The Sooners' secondary was burned again by a long pass when McNeal found Murphy wide open for a 40-yard score to put the Aggies ahead, 27-23.

The Aggies had that four-point lead when the

## NO. 1 OVER NO. 1

**Texas A&M's win over Oklahoma today was its first in 10 games against a top-ranked opponent. See the results below:**

Date	Opponent	Result	Score
Oct. 11, 1952	at Michigan St.	Loss	6-48
Sept. 17, 1955	at UCLA	Loss	0-21
Nov. 27, 1963	Texas	Loss	13-15
Nov. 27, 1969	Texas	Loss	12-49
Sept. 26, 1970	at Ohio State	Loss	13-56
Nov. 26, 1970	at Texas	Loss	14-52
Sept. 25, 1971	at Nebraska	Loss	7-34
Nov. 26, 1977	Texas	Loss	28-57
Nov. 11, 2000	Oklahoma	Loss	31-35
Nov. 9, 2002	Oklahoma	Win	30-26

*NOTE: Texas A&M defeated Kansas State in the 1998 Big 12 Championship Game when the Wildcats were ranked No. 1 in the USA Today/ESPN coaches poll and No. 2 in The Associated Press poll.*

fourth period began. This season, they had blown huge leads in the final quarter in losses to Texas Tech and Nebraska at Kyle Field. There was no meltdown this time.

The Aggies went up, 30-23, on a 24-yard field goal by Pegram and then forced the Sooners to settle for a 32-yard kick by DiCarlo to keep the four-point lead as the game wound down.

"It was totally on our minds," Penright said. "We've lost most of our games in the fourth quarter. We felt we were not going to give it up this time. We gave it our all."

When Terrence Kiel intercepted a pass from Hybl at the Aggies' 43 with 1:12 remaining, A&M had its first victory over a No. 1 team. Along with it, the Aggies were able to celebrate a win that will be remembered long after the stinging losses that preceded it.

"This team really isn't that hard to figure," Gamble said. "Well, maybe it is, but we've been in every game this year. We haven't been blown out. We were two or three or four plays away from being unbeaten. We showed today that we're capable of playing with any team."

And beating any team, even the one ranked No. 1.



**Reggie McNeal, who ran for 89 yards and passed for 191 yards and 4 TD's, escapes from Oklahoma's Brandon Everage.**

## Defeat Leaves OU at Loss for Words

**By Richard Justice**

*Houston Chronicle*

The Oklahoma Sooners did not believe it would end like this. Not here. Not now. And when it did, they seemed more dazed than disappointed, more stunned than surprised.

"We just never had a doubt we were going to come back and win it," cornerback Andre Woolfolk said. "I can't tell you how heart-breaking this is."

He spoke outside a locker room so quiet one could hear a dream die.

Unbeaten, ranked No. 1 in The Associated Press poll and BCS standings and seemingly on their way to a second national championship in three seasons, the Sooners were stunned 30-26 by Texas A&M in front of a rocking crowd of 84,036 this afternoon at Kyle Field.

"Blah, blah, blah," Oklahoma tight end Trent Smith said bluntly. "There's nothing to say. We

just played badly. We knew what time kickoff was. We just didn't finish."

The Sooners' third loss in the past 35 games ended this season's unbeaten run at eight games and badly hurts their chances of winning an eighth national championship.

"We haven't had this feeling very often, and we don't like it," Oklahoma coach Bob Stoops said. "We got out-played and out-coached. It's all of us together. They just beat us. That's the way it goes."

The Sooners lost because Aggies freshman quarterback Reggie McNeal was the best player on the field, because OU's offense stumbled badly late in the game and because, for one day, what they had come to call "Sooner Magic" didn't venture south of the Red River.

In a pretty good imitation of Michael Vick, McNeal threw four touchdown passes — one more than the Sooners allowed in their first eight games — and rushed for 89 yards.



McNeal had a terrific afternoon throwing the ball, but the Sooners uncharacteristically let receivers run free, missed tackles and had more breakdowns than they could count.

While praising McNeal for his speed, poise and throwing ability, they also blamed themselves for Texas A&M running up 404 yards of offense.

"Any time a team changes quarterbacks and gets a few plays, it gives them a lift," Woolfolk said. "They got one from him. At the same time, we made so many mistakes. We gave up a first down on a third-and-17 quarterback draw. A lot of little things like that added up."

Oklahoma co-defensive coordinator Brent Venables added:

"We'd seen everything they did. There were no surprises. Our execution just wasn't as good as it needed to be. We just didn't create enough pressure. Right before the half, it seemed like he had all day to throw. Give credit to their quarterback and wide receivers for being on the same page."

The Sooners led, 7-0, when McNeal entered the game late in the first quarter and were in front 13-6 when he completed a 40-yard touchdown pass to Greg Porter with seven seconds left in the half to tie it at 13.

McNeal got the Aggies in front 20-13 in the second half in the third quarter. Until the very end, the Sooners did not believe they would lose.

In the final moments, they made mistakes that will haunt them all the way back to Norman.

One came when running back Renaldo Works caught a pass from Nate Hybl and was trapped for a one-yard loss on fourth-and-five at the Oklahoma 27 with 2:24 left.

Hybl had a solid afternoon in completing 20 of 34 passes for 249 yards and two touchdowns, but on that play he was supposed to look downfield for a receiver.

It was thrown too quickly to make something happen," Stoops said.

The Sooners got a final shot when they got the ball back at their 26 with 1:05 remaining. The possession began with a delay-of-game penalty, then Hybl's long pass was intercepted

by Terrence Kiel.

"We're going to fly home tonight with a lot of thoughts flying around," Hybl said. "But we've got to let it go. We've got three games left, and they're important. We still control our own destiny, right? To win the Big 12 has always been our first goal. I'm not downplaying the big picture, but that's the way it is.

"I'd be lying if I said we weren't disappointed, but we've got a lot of exciting stuff still out there for us."

Stoops reminded his players that they still had three Big 12 games remaining and that everything — well, almost everything — they had hoped to accomplish was still possible.

Asked the inevitable question about the BCS, Stoops said: "I didn't talk about it when we had a BCS future. I don't know if we have one now. I don't much care. We have to play Baylor next week. We still have a lot in front of us.

Their record would cause one to believe.



**Terrence Murphy, who had scored on a 61-yard TD pass, savors the Aggies' upset win over No. 1-ranked Oklahoma.**



**12<sup>th</sup> MAN**

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**Matt Bumgardner (88) pulls in the game-winning pass against Texas defender Ahmad Brooks.**

## Victory After the Tragedy

*The Texas Aggie*

*Special Memorial Issue - December 1999*

### **COLLEGE STATION, Nov. 26, 1999 —**

Though skies were clear, hearts were clouded with sorrow as game time drew near.

Commemorative maroon and white ribbons had been painted over the on-field A&M symbols, and stadium flags flew at half-mast in the chilled winds that crept across the Brazos.

That marked the only difference between this game and any other football game played within the past 106 years between Texas A&M and the University of Texas.

Kyle field was a sea of maroon. The burnt orange seemed subdued. Maroon Out had sold more than 54,000 T-shirts.

<b>Texas</b>	<b>2</b>	<b>14</b>	<b>0</b>	<b>0</b>	<b>— 16</b>
<b>Texas A&amp;M</b>	<b>6</b>	<b>0</b>	<b>7</b>	<b>7</b>	<b>— 20</b>

And all had the number “12” emblazoned in white on a background of maroon.

It seemed appropriate. The mood was somber, tempered with pain, yet electric with anticipation.

A crowd of 86,128 had made its way past Bonfire site and into Kyle Field, becoming the largest number of people to ever witness a football game in the state of Texas.

Many of them were wearing Bonfire memorial buttons that said, “They Live On.” Others adorned themselves with ribbons of both maroon and white.

The University of Texas band had long prided itself with unleashing sounds of excitement at halftime.





But on this morning in College Station, the band played music not normally heard at a football game, offering mournful, melancholy versions of “Amazing Grace” and “Taps.” Band members lowered their own UT flags and, for the only time in history, raised Texas A&M banners high. As the last notes faded away, they removed their hats and left the field in respectful silence.

The Fightin’ Texas Aggie Band performed its signature march, “Noble Men of Kyle,” then formed its traditional block “T,” in total silence, departing the field without a note being played.

The announcer had solemnly intoned, “May the Longhorn spirit and the Spirit of Aggieland never die.”

Emotions spilled with tears from every corner of Kyle Field.

On the giant scoreboard were sobering images of those mourners who had chosen to spend a crisp early morning around a hand-made memorial that

lay around a stack of scattered logs.

Thousands of balloons whipped their way skyward.

On the field, two Aggie roommates -- Lauren Harms of Houston and Shaleah Hester of Nacogdoches -- released twelve white doves, a symbol, they hoped, that would expedite the healing process. In a soft voice, Lauren said, “It’s very important to us that we remember the victims in some way.”

There was a moment of silence in the pre-game ceremony, a hush suddenly punctuated by the thunderous roar of four F-16 fighters passing above the stadium. One suddenly climbed toward the heavens, representing the “missing man.”

Flying the jets were Former Students from Texas A&M.

And, at last, there was indeed a game to be played.

R.C. Slocum had no idea what to expect. He had described his team’s practices following the Bonfire

**ADD  
PHOTO  
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Bonfire  
Issue**



**12<sup>th</sup> MAN**

tragedy and how they would ever be able to play again.

Some had sought the counsel of Rick Rigsby, an ordained minister and A&M's Life Skills Coordinator.

One player told him, "We'll never be able to get over this."

"You are absolutely right," Rigsby told him. "But you do move on. You never forget. But you do move on."

As Rigsby said, "It really is hard to get up for a game that pales in comparison with the tragedy of the moment. But we still have the task of getting ready and giving our very best. The best way for us to memorialize these fallen Aggies is to be the best we can be, to be as competitive as we can be."

The Aggies squared their shoulders and moved on.

Slocum said, "It's the only way we can approach this situation. Those young Aggies died working long and hard to create Spirit for the game. If you could ask them, I think they would want us to go play the game."

Before taking the field, quarterback Randy McCown said, "It's not easy to put this behind you, but it's something you have to do. I'm sure there's going to be a kind of reaction that's not usually

expected in this game. Before the game, I'm sure it'll be a little bit somber. But when they snap the ball, I'm sure things will go back to the way they've always been.

For lineman Semisi Heimuli, it would be, he said, "the biggest game of our lives. We owe this town, the community; everybody a win.

Jason Webster had his own solution to a tough week.

"You have to depend on God to give you the strength to clear your mind," he said.

Lineman Chris Valleta admired the way the Longhorns had reacted in light of tragedy. "Just like us," he said, they realize that this is a game and what happened here is a tragedy. They understood that honoring the victims and the families is more important than a football game, so that's the attitude they've taken, and we appreciate that."

Across Kyle Field, Texas football coach Mack Brown talked about the game. "It will be emotionally draining for both teams," he said. "For me to be concerned about the emotions of our team when families are trying to understand the loss of sons and daughters would be selfish on our part. To put the game on the level of life and death isn't even worth



**Aggie tailback Ja'Mar Toombs (5) pounded the Longhorn defense with 126 yards and 1 TD.**

*1999 Bonfire Game: Aggies vs. Texas*

talking about. But if you are going to play the game, you need to play hard and with spirit. I hope both teams realize that this puts priorities back in place.”

He shrugged and added, “If there was any way we could bring those people back by canceling the game, we’d do it. We’d cancel it forever if we could save one life.”

And Texas quarterback Major Applewhite was sadly shaking his head. As he said about the Bonfire collapse, “I think about it every time I see a newspaper. I think about it every time I see a tree.” He paused, knowing it was time for the teams to take the field, and said, “This game is just a matter of will and heart.”

The Aggies led briefly behind a Ja’Mar Toombs touchdown, then found themselves trailing 16-13 with barely five minutes left to play. McCown, who had completed only seven passes all morning, dropped back and found his roommate, Matt Bumgardener, in the end zone. The pass only went 14 yards, but that was enough, giving A&M the lead. As McGown would say, “We had 12 angels with us today. They weren’t going to let us give up.”

But, in football, five minutes is eternity.

Applewhite, suffering from a stomach virus, replaced freshman Chris Simms, who had been sacked four times during the game, and the ’Horns began to march. Applewhite completed pass after pass, moving Texas to the A&M 45-yard line with a half minute left to play.

No one sat. Few only dared to breathe.

On first down, A&M cornerback Jay Brooks blitzed, knocking the ball from Applewhite’s grasp, and Brian Gamble, a redshirt freshman Aggie linebacker, outscrambled the Texas quarterback for the football.

Gamble rolled out of the pile and immediately looked upward into a clear blue sky. Calmly, and with reverence, he went to his knees and pointed toward the heavens. “I wanted to thank the man upstairs,” he said later. “I knew that He was looking down on us today. So were our classmates.”

As the final seconds ticked away, Jason Glenn knelt over the maroon ribbon painted on the field and patted the green turf. “It’s over now,” he whispered. “It’s all over.”

Valletta, along with several of the Aggie football players, had written the names of the 12 Bonfire victims on his shirt, and he said, “We came in with those people that died in our minds and in our hearts, and we thought about them every single play. We pulled it out today, and I personally want to send this victory to them, every single one of them, and their families.”

As UT defensive end Cedric Woodward walked off the field, he paid his respects to the foes who wore maroon and white. “They played their hearts out,” he said. “I take my hat off to them.”

Randy McCown did not want to leave the field. He is a senior. It was his last home game.

And he said, “Something in my heart told me we were going to win this game, no matter what.”

For R.C. Slocum, it was a sweet ending to a bitter week. He said, “I thought it was so right that we won. With all that the A&M family has gone through in the last week, it just needed to turn out that way, and it did.”









# Tradition at A&M Remains and Sustains

**By John P. Lopez**

*Houston Chronicle*, Nov. 19, 1999

Every year, for as long as Texas-Texas A&M has epitomized college football in this state, a lone figure has stood in the glow of the Aggie Bonfire to read a page from his school's storied history.

The throng of 50,000 or so Aggies becomes still. A hush falls over the moment, and a yell leader reads a poem written in honor of departed Aggies titled, *The Last Corps Trip*.

*"It was judgment day in Aggieland and tenseness filled the air. All knew there was a trip at hand, but not a soul knew where . . ."*

These words seemed to echo off the walls of Rudder Tower, over the Memorial Student Center lawn, off the Kyle Field bleachers and all around the Bonfire site Aggies hold dear. A grave hush fell over Texas A&M on Thursday. The campus became still, the mood sullen.

The Aggie Bonfire stack crumbled, killing 11 students and a former student and injuring 28, raising questions about the safety and validity of the Bonfire and casting a pall over a game that is, in fact, just a game.

The words from the traditional Bonfire poem could not have reverberated more poignantly across a campus that prides itself on closeness and camaraderie and being nothing if not steeped in tradition.

*" . . . out in front with royal guard, the reviewing party stood, St. Peter and his angel's staff were choosing bad from good . . ."*

No time for second guesses

This was not a time to judge the Bonfire's merits, the danger of building it higher. This was not a time for arguing over what could have been done to prevent the tragedy and what should be done about the Bonfire.

*" . . . 'By Jove, I do believe I've seen this gallant group before. I've seen them play since way back when and*

*they've always had the grit. I've seen them lose and I've seen them win, but I've never seen them quit. No need for us to tarry here deciding upon their fates. 'Tis plain as the halo on my head, they've opened heaven's gates . . . '*"

Thousands of students gathered at the site Thursday, hugging and crying... Heaven's gates opened for a group of Texas A&M students whose only charge was to keep alive the Tradition, carry on the burning desire that has glowed over this campus for a century.

Football practice was canceled for lack of interest. It's just a game. A group of players led by Semisi Heimuli, Tiki Hardeman, Sean Coryatt, Amon Simon, Chris Valletta, Shane Lechler and Jason Glenn knew what mattered. They went to the site and helped clear debris.

By midafternoon, the team was covered with silt and dirt, and the players still felt as if they hadn't done enough.

"We just knew we had to help," Valletta said. "That's what Aggies do. Not one guy was thinking about football. When the stack fell, it struck the hearts of every single Aggie in the world. When I was out there, I was standing next to a guy who had tears in his eyes as he was lifting a log. I was standing next to a guy that lost his best friend."

## Game Becomes Secondary

One of the players, linebacker Christian Rodriguez, lost one of his best friends.

"It's far more important for our players to be out here rather than out practicing football plays," coach R.C. Slocum said at the site. "There is a loyalty and a spirit at Texas A&M like no other place. One of the great things about being an Aggie is you'll never be alone. There will always be Aggies out there that you can share things with. We'll get through this, and we'll get through it together."

# Exhibit E

**E. KING GILL:  
THE LIFE & LEGEND OF TEXAS A&M'S 12th MAN**

**By Whit Canning**

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### **E. KING GILL: THE LIFE & LEGEND OF TEXAS A&M'S 12TH MAN**

In December 1986, as Earle Bruce's Ohio State team prepared for a New Year's Day battle with Texas A&M in the Cotton Bowl, visitors to the Buckeyes' practice sessions noticed something a bit odd.

It seemed to occur especially when there were members of the media present: every time the Buckeyes went through a contact drill, they lined up with 12 men on both sides of the ball.

"Well," Bruce deadpanned, when questioned by reporters, "we're playing Texas A&M aren't we? I've always heard that they play with 12 men.

"And we ain't goin' out there shorthanded."

A publicity stunt, to be sure. But also, a tip of the hat to one of the most unique and enduring legends in the history of college football. And for 75 years the Aggies have believed that every time a ball is teed up on an autumn Saturday, they have an edge.

It is the legacy of Edward King Gill, a onetime A&M football player better suited to basketball -- a sport in which he achieved All-Southwest Conference recognition. Since he was known throughout his life by his middle name, "Edward" was soon shortened to just the initial "E".

Hence the legend of E. King Gill, a youth blessed with marvelous energy of mind, body and spirit -- who in one sense, at least, was destined to become a remarkable failure.

In his senior yearbook at Oak Cliff High School (now Adamson) in Dallas, Gill is described as "a boy who avoids public praise as much as possible, preferring to have his success pass without display."

It is a view of Gill that endured through the 74 years of his life, which ended in December 1976. But given the fact that a statue of him now stands at the north end of Kyle Field and that no student has passed through A&M in three quarters of a century without learning his name, his determination to "avoid public praise" was singularly unsuccessful.

He never led A&M to a national championship, as did John Kimbrough, nor did he win a Heisman Trophy, as did John David Crow. He was never even named all-conference in football, toiling in the shadow of Aggie gridiron stars such as Puny Wilson, Bull Johnson, Sam Sanders and Cap Murrah.

But because of one inspirational act in Dallas on January 2, 1922, he eventually became the most revered Aggie of them all:

The Twelfth Man.

On that day, Gill -- a sophomore sub who had been released from the varsity team in November so he could concentrate on basketball -- sat in the press box spotting for a Waco newspaper while the Aggies struggled against unbeaten Centre College in the Dixie Classic, which was a distant forerunner of the Cotton Bowl game.

As the A&M squad, which totaled 18 at the kickoff, began to dwindle with injuries, a desperate call for help came from the bench. Moments later, dressed in a fallen teammate's uniform, Gill walked from beneath the stands and into the pages of history -- taking his place on the sideline, ready to battle fate for the Aggies.

He stood there all day ... never needed, taking no physical part in A&M's 22-14 upset victory.

Almost apologetically, Gill laughed about it years later, saying, "I really wish I could say I went in and scored the winning touchdown, because it would have made a much better story. But I didn't -- I just stood there."

But as time passed, Gill's act that day grew to the status of legend, and eventually came to symbolize the spirit of the Aggies.

For another 40 years, A&M remained a relatively small, close-knit military school centered on its Corps of Cadets. It became, in time, a place famed for its myriad traditions. The legend of the 12th Man would soon become one of the greatest of all Aggie traditions.



"Probably, along with the annual Aggie Muster, it has become the greatest of all the traditions at A&M," says Harry Green, who graduated in 1952 and later spent 14 years as the director of The Twelfth Man Foundation. "I think it's basically the way all Aggies identify themselves."

By the time Green got to College Station, the Corps had developed the tradition of standing throughout each game, symbolizing each man's willingness to step down out of the stands -- as Gill once had -- and help the team.

"In those days, there were all sorts of things you had to go through when you came in as a freshman," Green says, "including being constantly quizzed on Aggie lore. The 12th Man story was the question you had to be prepared to answer each night if you wanted your dessert."

Although A&M began expanding tremendously in the sixties with the admission of women and non-corps students, the 12th Man legend was so firmly entrenched that it easily survived, and was enthusiastically adopted by all incoming students.

"It has outlived King Gill, and it will outlive us all," Green says. "The 12th Man tradition will never die."

It has survived because it also symbolizes the devotion -- stated often throughout the years -- of one Aggie to another. Arthur Dietrich, a member of the 1921 team, once said that "there was a closeness and a love on that team that is seldom seen, and we dedicated ourselves to that game."

The game (the 1922 Dixie Classic against Centre College) that launched the legend was remarkable in a number of ways, not least of which being the presence of two of the greatest football minds of the collegiate game's early years -- both of whom served, at various times, as savior and foe of the Aggies.

Charley Moran arrived at A&M in 1909 stating, "I did not come here to lose," and proved immediately to be a man of his word. By the end of the season the University of Texas -- which had lost only one of 17 previous meetings with the Aggies -- had been whipped twice.

By 1912, Moran's Aggies had become so formidable that the great state university in Austin refused to schedule them.

Soon thereafter, in gracious tribute to Moran's sportsmanlike qualities, the Longhorns came up with a catchy refrain honoring their esteemed adversary:

*To hell, to hell with Charley Moran,  
And all his dirty crew;  
And if you don't like the words to this song,  
Then to hell, to hell with you.*

In 1914, when administrators of eight universities met to write a charter for the Southwest Conference, UT minions agreed to join on one condition: that Moran be fired and barred from the league. In the interests of progress and regional harmony, A&M reluctantly agreed.

But on the eve of the resumption of the A&M-UT series in 1915, the exiled Moran struck the Longhorns one final blow, in the form of a letter of exhortation to the A&M squad.

"If you still love me and think anything of me," it read, "THEN BEAT TEXAS."

A&M complied with a 13-0 upset of the favored Longhorns and inadvertently launched a Texas tradition in the process. When Aggie pranksters branded the score into the hide of UT's longhorn mascot the following year, the steer's mortified handlers were forced to alter the brand to read, "Bevo."

And so, Texas' mascot became permanently named after a popular brand of beer.

After a two-year drift, the Aggies came up with another winner to coach the A&M football squad: Dana Xenophon Bible.

His first team, in 1917, was not only undefeated, but unscored-on. Then he departed for a year of service in France during World War I.

Bible returned to A&M in 1919, and his second team was both undefeated and unscored-on. In two seasons, his teams had played 18 games, won them all, and outscored their foes, 545-0.

In 1927, Bible had another undefeated team led by All-American Joel Hunt, and won six SWC titles in all before taking the prestigious head coaching job at Nebraska on the personal recommendation of Notre Dame coach Knute Rockne.

Describing his famous coach, Hunt once said, "Mr. Bible did not have to demand respect. You could not keep from respecting him. He was a man who stood above all, and you had to look up to him."

He was also known as a master game day motivator and virtuoso of the Rockne-style, "Win One for the Gipper" halftime performance in the locker room.

Once, at halftime in a climactic battle with the Longhorns, Bible emulated Col. William B. Travis at the Alamo -- drawing a line on the locker room floor and inviting anyone who wished to beat Texas to step across.

All did, of course, and the Aggies won.

On another occasion, after a miserable first-half performance, Bible refused to talk to his team at halftime.

Finally, just before the team went out for the second half, he walked into the room, looked around, and said, "Well girls, shall we go?" Once again, the Aggies won.

But in 1940, when he was coaching an underdog Texas team against an Aggie squad that had not lost in two years, he read the Edgar Guest poem, *It Can Be Done*, to his team, and the Longhorns won, knocking A&M out of the Rose Bowl.

Just as Bible would do years later, Charley Moran came back to face the 1921 Aggies in the guise of a formidable adversary. The place where he had landed -- exiled from the SWC -- was Centre College, a small private school in Danville, Kentucky.

At a distance of 77 years, Centre seems scarcely changed today. Playing at the Division III level, the school carries an enrollment of 950, but there are still thrills.

"I love playing here," says current squad member Todd Frakes. "There isn't much media attention, but we play in eight different states. We just travel constantly, and it's a lot of fun."

The teams from the era of World War I and beyond also traveled constantly, but there was a slight difference: during the period of 1917-24, Moran's "Prayin' Colonels" -- a moniker they picked up after a halftime prayer session during the 1919 West Virginia game -- frequently got bigger headlines than Notre Dame.

In that span, Centre boasted three undefeated teams and posted a total record of 55-8-2. Listed among the victims were Indiana, Clemson, Mississippi, Kentucky, Auburn, Tulane, Tennessee, Alabama and Georgia -- often by margins of six or seven touchdowns.

"Uncle Charley" was at it again, and in 1921 he had perhaps his greatest team. Incredibly, the team boasted three Walter Camp All-Americans: quarterback Alvin (Bo) McMillin, end Red Roberts, and center Red Weaver. McMillin and Roberts were three-time picks. When the Colonels rolled into Dallas amid one of their storied barnstorming tours, they had just flattened Arizona, 38-0, on the West Coast. That brought the season ledger to 10-0, with collective foes having been outscored, 323-6.

But the centerpiece of the campaign had been a midseason visit to Cambridge, Mass., where McMillin -- later a famed coach in both college and pro ranks -- led the Colonels on a date with destiny.



Scoring the game's only touchdown, McMillin, formerly a star at Fort Worth's North Side High School, engineered a stunning 6-0 victory over Harvard that snapped a 25-game winning streak for the hosts. For decades -- on into the fifties -- it was generally regarded as the greatest upset in college football history.

In Gill's recollection, "in our game, Centre was definitely favored -- by a whole lot."

The 1921 A&M team opposing this juggernaut was not one of Bible's strongest -- having compiled a 5-1-2 record with a loss to LSU and ties with Rice and Texas. But it was the SWC champion, and so earned itself a "bowl" trip.

Ominously, it was also a team already severely depleted by injuries -- having lost two fullbacks -- and only 18 players made the trip to Dallas.

The game received an extensive week-long buildup, beginning on Christmas Day, in the local papers. This was due largely to the fact that three Centre players were from Fort Worth and two from Dallas, among seven Texans on the squad.

Ending a storied career as a three-time All-American and already hired as head coach at Centenary College for the next season, McMillin came home to a hero's welcome, capped by a unique twist: in a ceremony on the morning of the game, he married his high school sweetheart, Miss Maud Marie Miers.

Meanwhile, the Aggies dressed for the game at their downtown hotel and prepared to depart for Fair Park Stadium, a mostly wooden 10,000-seat edifice that predated the Cotton Bowl.

Gill was among them, although he was in street clothes -- and, as he recalled it years later, was about the last person in Dallas figuring on taking an active role in the afternoon's contest.

"Throughout high school and college, I always played three sports -- football, basketball and baseball," he said. "But my favorite of the three was always basketball, because that's what I seemed best at."

"Although I was on the football team in 1921, I was only a substitute. But I was in line for a regular spot on the basketball team, and the coaches figured I should give it my full attention. So they released me from the team at Thanksgiving, and I concentrated on basketball."

"When the team went up to play Centre, I just went up there like all the other students. I wanted to see the game, and since I lived in Dallas, it also gave me a chance to go home for a visit."

What brought Gill to the hotel on the day of the game was not the idea of playing in it, but simply the thought of being able to get inside the stadium to watch it.

"There were no dressing rooms at the stadium," Gill recalled, "so the team put on their uniforms at the hotel and gathered in the lobby to take cabs to the game. I wanted to go with them because it was a good way to get into the stadium, and I didn't have the \$3 admission price. So I rode in one of the cabs."

"I was standing down on the field talking to Coach Bible before the game, when Jinx Tucker came by. He was the sports editor at the Waco paper and I knew him casually, and he said, 'Hey King, why don't you come up to the press box and spot for me?'"

"So I wished Coach Bible luck and told him I'd be up there if he needed me, and I went upstairs with Jinx."

At the time, it was an offhand remark, and Gill had no idea he would actually be needed. That situation changed rapidly, however.

"The trouble started right after the game got underway," Gill said. "We were already missing a kid named (F.K.) Buckner, who had been our fullback but had a bad leg. And pretty soon, we lost so many more players it began to look like we wouldn't be able to finish the game."

"Sammy Sanders was the first to go. They knocked him cold."

"Heine Weir, our team captain and other halfback, was next. He went out with a broken leg. Then we lost our fullback, Bull Johnson, and then our quarterback, Bugs

Morris. A halfback named (T.L.) Miller was also injured, so within a short space of time, our whole offensive backfield plus one substitute had gone out of the game.

"I looked down at the field, and old D.X. was waving at the press box and motioning toward our empty bench. He knew I was up there, because he had seen me leave with Jinx. And I knew what he wanted."

Just to make sure, Bible dispatched an A&M yell leader to the press box, and Gill was soon on his way down to the field.

"Since there were no dressing rooms, I changed clothes under the stands," Gill said. "They gave my clothes to Weir, and I put on his uniform."

"And D.X. was standing there, and he said, 'Boy, it doesn't look like I'm going to have enough players to finish the game. You may have to go in there and just stand around for awhile.'"

"But as it turned out, I wasn't needed. All our boys managed to survive from that point forward."

In fact, the Aggies managed a bit more than mere survival. They took a quick 2-0 lead when one of the visitors was tackled in the end zone trying to return a punt, then blunted two Centre drives inside their five-yard line. On one of these, they stopped McMillin on fourth down -- inches from the goal line.

The Prayin' Colonels finally launched a drive to take a 7-2 lead, but A&M turned three breaks into quick scores in the second half and held a commanding 22-7 advantage in the fourth quarter. Centre scored once more, but the day belonged to the Aggies.

Gill was certainly not the star of the game, but as the years rolled by, he became its most commanding presence. Ironically, it served to overshadow a distinguished career at A&M in which he won eight varsity letters in three sports.

In the final game of the 1922 season, Gill scored once and set up the other touchdown with a long run to lead the Aggies past the hated Longhorns, 14-7.

The game became etched in the collective memory because it would be A&M's last victory in Austin for 34 years -- until the unbeaten 1956 powerhouse whipped a 1-9 Texas team (after which the Longhorns, in despair, took a gamble on a young coach named Darrell Royal) -- but Gill's heroics were forgotten.

It also went largely forgotten that Gill was a star guard on two conference championship basketball teams.

He graduated from A&M in 1924 with a degree in engineering, coached for a year at Greenville High, then entered the Baylor School of Medicine.

Graduating in 1929, he set up a practice as an eye, ear, nose and throat doctor in San Antonio. In 1935 he moved his practice to Corpus Christi.

For many years, he never gave much thought of the incident that would one day transform him into a legendary, almost mythic figure to thousands of Aggies.

"I think the Fort Worth paper mentioned it at the time," he said, "but I really never heard any more about it for about 15 years afterward."

"The story of the 12th Man really originated around 1939-40, when A&M had its national championship team and there was a lot of interest. I think it first resurfaced when a guy named E.E. McQuillen dramatized the incident on a radio broadcast."

In 1941, an Aggie supporter named Lillian Dean Hamilton Munnerlyn, known as "Nanny Munn," wrote a song entitled *The Twelfth Man*. The song created its own tradition: it was sung at post-game yell practices -- but only when the Aggies had lost:

*Texas Aggies down in Aggieland,  
We've got Aggie spirit to a man.  
Stand united! That's the Aggie theme,  
We're the 12th man on the team.*



*When we're down, the goin's rough and tough,  
We just grin and yell we've got the stuff  
To fight together for the Aggie dream,  
We're the 12th man on that fightin' Aggie team.*

But the tradition had surfaced as early as 1930, when A&M coach Matty Bell called on the student body to give him a "Twelfth Man" center. He was rewarded with Joe Love, a gritty 5-foot-9, 155-pound center who lettered for two years.

In 1943, when every veteran on the team had gone off to war, Aggie coach Homer Norton placed a notice in the student newspaper asking for volunteers. He held his first team meeting a few days later, surrounded by 135 warm bodies.

But it remained for Jackie Sherrill to elevate the 12th Man tradition to the status of national phenomenon ... an idea that became a publicity bonanza and gave its name to a rising dynasty.

When Sherrill announced that his home kickoff unit for 1983 would consist of a kicker and 10 student volunteers, he was greeted by a turnout that would have amazed Homer Norton -- 250 men and two women.

When the unit was finally pared down, one of its members, Corps of Cadets member Les Asel, spoke eloquently for the group.

"I never wanted to play college ball, because I figured high school was enough," he said. "But when this happened, I got fired up about it.

"When we take the field in the opener against California (in 1983), they're in for a surprise. They've never faced a bunch of crazy, insane Aggies screaming down the field before. After all, a guy's got to be a little bit crazy to come here and wear this uniform and be an Aggie in the first place.

"We're just trying to help the football team. People say it's a publicity stunt, but so what? We're serious about this.

"What you have to understand is, I'm married to Texas A&M. This is part of the Aggie spirit, and I've always wanted to be an Aggie."

The original unit, in '83, held foes to an average of 13.1 yards per return, and successive towel-waving units vexed not only Bruce's Buckeyes but Heisman Trophy winners Bo Jackson of Auburn and Tim Brown of Notre Dame in the Cotton Bowl.

R.C. Slocum cut the unit down to one representative -- wearing No. 12 -- in 1991, saying, "What E. King Gill did in 1922, he did alone -- he didn't have nine other guys with him."

The effectiveness of the unit had decreased by then, but football fans from New York to California had learned the significance of the 12th Man.

By the time Sherrill created his version, the man who inspired the legend was dead.

After a lifetime of community service, he passed his medical practice on to a friend and retired in 1972, at the age of 70. He had been slowed by a heart attack five years earlier, and a hunting accident in 1970 in which he lost part of a finger hampered his capacity to perform surgery.

Also in 1970, he and his wife, Myrtle, had moved to nearby Rockport after Hurricane Celia extensively damaged their Corpus Christi home. By then, they also owned a 300-acre ranch near San Antonio.

He died in December 1976, and was buried in San Antonio.

To the end of his days, the description in his high school yearbook held true. If any man ever believed himself a legend, it wasn't King Gill.

Olive DeLucia, who arranges travel excursions for former students out of her office on campus, recalls taking the Gills on an Aggie junket to Hawaii.

"We all had a grand time," she says, "but if you were just one of the people on that trip, you would never have imagined that he (Gill) was the famous 12th Man. He was such a nice man, quiet and unassuming, and a gentleman.

"His wife was the expressive one ... she could do that thing where you put two fingers to your mouth and whistle, and I remember thinking what a contrast it was between them."

But if there was ever a doubt that Gill was an Aggie legend, it was dispelled in 1980, when the statue was placed prominently in front of The 12th Man Foundation office near the stadium.

For all the Joel Hunts, Dick Todds and Joe Routts and John Kimbroughs and Martin Rubys and John David Crows and Jack Pardees that led the Aggies to glory, the only man they ever cast in bronze was E. King Gill.

"It's a tradition that every Aggie can identify with," says A&M historian Jerry Cooper. "Through the years, there have been many attempts to more or less copy it, including the thing with Army and Navy where they stand throughout a game. But in their case, it isn't based on anything.

"People are still making attempts to co-opt it in various ways: there was a recent article in the school paper about Texas and Baylor developing special 'tradition' rings.

"But you don't just invent a tradition. Ours is based on a real event that actually happened once. It's history, and it's real. And for every Aggie, it says, 'I'm somebody special.'"

Meanwhile, the beat goes on. What E. King Gill started in 1922 has produced a massive fund-raising organization (The 12th Man Foundation), a campus statue that students born after his death stare at in admiration, and a tradition wherein thousands of Aggies stand at the ready throughout a game, although in the modern context the thought that any of them might actually be called down to the field is absurd.

Whereas Gill once stood, clutching his misshapen leather helmet and wondering if there would be enough Aggies left to finish the game, there is now a donor wall built for \$150,000 with the aim of raising \$5.4 million and endowing every position on the varsity football team; or, financing the team itself.

The area is called The 12th Man Plaza.

And there are still attempts to identify with Gill's legacy: Emmitt Smith once implored the Dallas Cowboys and their fans to develop a "12th Man atmosphere," and Troy Aikman envisioned towel-waving fans "blowing off the roof (what there is of it) at Texas Stadium."

The 12th Man has been compared to Biblical heroes and legends of the Old West, and provided the title for a 1974 book on the Aggies' football history.

But A&M is a place where traditions are like sunsets; you see one every day, from the story of the famous War Hymn being composed by a lonely soldier (Pinky Wilson) standing watch on the Rhine during World War I to the sacred turf of Kyle Field, dedicated to the Aggies who died during World War II.

But while many can equate the 12th Man tradition to the Muster (held annually on San Jacinto Day), in the opinion of the man responsible for one of them, there was never a comparison.

To Gill, the Muster was the most sacred of Aggie traditions. And having served as an officer in the Pacific in World War II, he was acutely aware of the most famous Muster of them all: held by Aggies on the doomed island fortress of Corregidor just before it fell to the Japanese in 1942.

He visited the site when the Philippines were retaken, and when he was asked to give an address at a Muster years later, he considered it a great honor.

He recalled being in an assault wave on a Pacific island and shortly discovering a notice on a bulletin board announcing "a meeting of A&M men in tent 402 at 7 p.m. tonight."



"An officer standing near me said, 'You Aggies beat anything I've ever seen. We can establish a beachhead on one of these islands, and in a short time there will be a sign stuck in the sand saying there will be an A&M meeting tonight.'

"I think this probably demonstrates what other people think of Aggies. They may not particularly like us, but they respect us."

And of all the written and spoken accounts of the events of January 2, 1922, probably the most eloquent description of his actions was delivered, on this occasion, by the 12th Man himself.

"For one thing," he said, "it has made me feel humble and proud to think that I might represent the finest body of young men in the U.S.

"Any one of them could be the 12th Man, but he must be ready to stand and fight for the things that are right and the traditions of this country and this school.

"It has made me a better man and a better doctor, and last but not least, a more responsible citizen. It has, on the lighter side, made me the prime target for the many Aggie jokes that come along.

"It is my sincere hope that there will always be the Muster, and there will always be a Cadet Corps at A&M. Without it, there will be no A&M, for within it are found many of our most precious and hallowed traditions.

"As we reach into the future, it is well that we remember the past."

# Exhibit F



## PUBLISHING AGREEMENT

This Agreement is made the 29<sup>th</sup> day of November 2013, by and between Michael J. Bynum ("Bynum") and Canada Hockey LLC ("Canada Hockey").

WHEREAS, Canada Hockey is a publisher of high-quality regional sports books,

WHEREAS, Bynum is an editor and researcher who has created more than one hundred sports books,

WHEREAS, Canada Hockey would like to publish a high-quality book (the "Book"), which Bynum has created, based on the life of E. King Gill, a three-sport letterman at Texas A&M University, who became a football legend and is remembered by Texas A&M alums and fans for his role in the 1922 Dixie Classic, and has been given the honorary name of "the 12th Man,"

NOW, THEREFORE, Bynum and Canada Hockey agree to enter into an agreement based on the following terms:

1. PRODUCTION OF THE BOOK. Canada Hockey shall edit, design and publish the Book at its own expense. The Book will be published in 4-color, in hardcover, softcover and e-book formats, and with a page length of approximately 48 up to 80 pages. This Book will be based on newly-written feature stories and game-story accounts, certain previously published newspaper stories and photos and memorabilia.

2. BOOK COPYRIGHT. Bynum shall own the Book's copyright.

3. FINAL EDIT. Canada Hockey agrees to consult with, and seek the input of, Bynum regarding the design, layout and editorial content of the Book and its cover and dust jacket and to provide Bynum with a set of page proofs of the Book to review and make editorial suggestions to ensure the historical accuracy of the Book and its cover and dust jacket, which Canada Hockey will consider. Canada Hockey shall have the right of final edit of the Book.

4. ROYALTIES TO BYNUM. Canada Hockey agree to pay to Bynum a royalty based on below book royalty schedule:

a. A royalty of twenty percent (10%) of the Book's wholesale price for 1 to 15,000 copies sold.

b. This royalty shall increase to twelve and one-half percent (12.5%) of the Book's wholesale price for 15,001 to 30,000 copies sold.

c. This royalty shall increase to fifteen percent (15 %) of the Book's wholesale price for all copies over the amount of 30,000 copies sold.

d. This royalty shall be paid to Bynum quarterly based on sales that occurred in the previous quarter. The royalty settlement dates will be on August 30 (for all sales from April 1 to June 30), November 30 (for all sales from July 1 to September

30), February 28 (for all sales from October 1 to December 31) and May 31 (for all sales from January 1 to March 31).

5. COMPLIMENTARY COPIES. Upon the Book's publication, Canada Hockey agrees to provide Bynum with 25 complimentary copies of the Book. These copies can not be resold.

6. CONFIDENTIALITY. This Agreement and the contents thereof constitute a business relationship between the parties. Each party acknowledges that significant damage could be done to the other should the terms of this Agreement become public knowledge. Both parties agree that they will not reveal the terms of this Agreement to any third party (excluding agents, attorneys, representatives, officers of their parent corporation, and others with whom they have a legal obligation to disclose) and that they will exercise reasonable precautions to insure that neither they nor their employees or agents shall allow the terms of the Agreement to become public knowledge.

7. EARLY TERMINATIONS. If either party fails to perform any of its material obligations under this Agreement, the other party may at its option give written notice to the defaulting party, specifying the nature of the alleged default and demanding that the default be cured. Upon receipt of the notice, the party claimed to be in default shall have thirty (30) days within which to cure any default that may exist. If the default is not cured within the allotted time, the non-defaulting party may terminate this Agreement by written notice, in addition to any other remedies available at law or in equity.

8. ASSIGNMENT. This Agreement shall not be assigned without the written consent of the non-assigning parties.

9. NO WAIVER. Failure of either party to complain of any act or omission on the part of the other party, or parties, no matter how long said act or omission may continue, shall not be deemed to be a waiver by either party of its rights under this Agreement.

10. SEVERANCE. If any term, covenant, condition or provision of this Agreement or the application thereof to any person or circumstance be to any extent invalid or unenforceable, the remainder of this Agreement or application of such term or provision to any person or circumstance other than to those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term, covenant, condition or provision of this Agreement shall be valid and shall be enforced to the fullest extent provided by law.

11. NOTICE. Notice by either party is deemed given the next business day after mailing a certified, or registered return receipt requested, letter or by sending with nationally recognized overnight courier such as FedEx, UPS or the United States Postal Service, addressed to the other party at the address noted below:

If to Bynum:

Michael J. Bynum  
Post Office Box 102033  
Birmingham, AL 35210

If to Canada Hockey:

Canada Hockey  
Attn: Mike Bynum  
Post Office Box 102033  
Birmingham, AL 35210

12. AUTHORITY. Each of the parties hereby represents and warrants to the other party that it has the right, power and legal authority to enter into and perform the Agreement in accordance with its terms and that this Agreement when executed and delivered by the parties will be a legal, valid and binding obligation against the parties in accordance with its terms.

13. MODIFICATION. No modification, or waiver, of any provision of this Agreement shall be effective unless in writing and signed by both parties.

14. LEGAL VENUE. This Agreement shall be governed by the laws of the United States of America and any legal action between the parties shall be filed in, and governed, by the Federal Court District of North Alabama, Jefferson County, in Birmingham, Alabama, USA.

15. ENTIRE AGREEMENT. This Agreement embodies the whole agreement of the parties hereto with respect to the subjects set forth herein.

THIS AGREEMENT IS SIGNED AND ACCEPTED BY THE  
FOLLOWING:

"BYNUM"

By: Michael J. Bynum

"CANADA HOCKEY"

By: Michael J. Bynum

As its President

# Exhibit G



### **E. KING GILL: THE LIFE & LEGEND OF TEXAS A&M'S 12<sup>TH</sup> MAN**

In December 1986, as Earle Bruce's Ohio State team prepared for a New Year's Day battle with Texas A&M in the Cotton Bowl, visitors to the Buckeye's practice sessions noticed something a bit odd.

It seemed to occur especially when there were members of the media present: every time the Buckeyes went through a contact drill, they lined up with 12 men on both sides of the ball.

"Well," Bruce deadpanned, when questioned by reporters, "we're playing Texas A&M aren't we? I've always heard that they play with 12 men.

"And we ain't goin' out there shorthanded."

A publicity stunt, to be sure. But also, a tip of the hat to one of the most unique and enduring legends in the history of college football. And for 75 years the Aggies have believed that every time a ball is teed up on an autumn Saturday, they have an edge.

It is the legacy of Edward King Gill, a onetime A&M football player better suited to basketball – a sport in which he achieved All-Southwest Conference recognition. Since he was known throughout his life by his middle name, "Edward" was soon shortened to just the initial "E".

Hence the legend of E. King Gill, a youth blessed with marvelous energy of mind, body and spirit -- who in one sense, at least, was destined to become a remarkable failure.

In his senior yearbook at Oak Cliff High School (now Adamson) in Dallas, Gill is described as "boy who avoids public praise as much as possible, preferring to have his success pass without display."

It is a view of Gill that endured through the 74 years of his life, which ended in December 1976. But given the fact that a statue of him now stands at the north end of Kyle Field and that no student has passed through A&M in three quarters of a century without learning his name, his determination to "avoid public praise" was singularly unsuccessful.

He never led A&M to a national championship, as did John Kimbrough, nor did he win a Heisman Trophy, as did John David Crow. He was never even named all-conference in football, toiling in the shadow of Aggie gridiron stars such as Puny Wilson, Bull Johnson, Sam Sanders and Cap Murrah.

But because of one inspirational act in Dallas on January 2, 1922, he eventually became the most revered Aggie of them all:

The Twelfth Man.

On that day, Gill – a sophomore sub who had been released from the varsity team in November so he could concentrate on basketball – sat in the press box spotting for a Waco newspaper while the Aggies struggled against unbeaten Centre College in the Dixie Classic, which was a distant forerunner of the Cotton Bowl game.

As the A&M squad, which totaled 18 at the kickoff, began to dwindle with injuries a desperate call for help came from the bench. Moments later, dressed in a fallen teammate's uniform, Gill walked from beneath the stands and into the pages of history -- taking his place on the sideline, ready to battle fate for the Aggies.

He stood there all day ... never needed, taking no physical part in A&M's 22-14 upset victory.

Almost apologetically, Gill laughed about it years later, saying, “I really wish I could say I went in and scored the winning touchdown, because it would have made a much better story. But I didn’t - - I just stood there.”

But as time passed, Gill’s act that day grew to the status of legend, and eventually came to symbolize the spirit of the Aggies.

For another 40 years, A&M remained a relatively small, close-knit military school centered on its Corps of Cadets. It became, in time, a place famed for its myriad traditions. The legend of the 12<sup>th</sup> Man would soon become one of the greatest of all Aggie traditions.

“Probably, along with the annual Aggie Muster, it has become the greatest of all the traditions at A&M,” says Harry Green, who graduated in 1952 and later spent 14 years as the director of the Twelfth Man Foundation. “I think it’s basically the way all Aggies identify themselves.”

By the time Green got to College Station, the Corps had developed the tradition of standing throughout each game, symbolizing each man’s willingness to step down out of the stands – as Gill once had – and help the team.

“In those days, there were all sorts of things you had to go through when you came in as a freshman,” Green says, “including being constantly quizzed on Aggie lore. The 12<sup>th</sup> Man story was the question you had to be prepared to answer each night if you wanted your dessert.”

Although A&M began expanding tremendously in the sixties with the admission of women and non-corps students, the 12<sup>th</sup> Man legend was so firmly entrenched that it easily survived, and was enthusiastically adopted by all incoming students.

“It has outlived King Gill, and it will outlive us all” Green says. “The 12<sup>th</sup> Man tradition will never die.”

It has survived because it also symbolizes the devotion – stated often throughout the years – of one Aggie to another. Arthur Dietrich, a member of the 1921 team, once said that “there was a closeness and a love on that team that is seldom seen, and we dedicated ourselves to that game.”

The game (the 1922 Dixie Classic against Centre College) that launched the legend was remarkable in a number of ways, not least of which being the presence of two of the greatest football minds of the collegiate game’s early years – both of whom served, at various times, as savior and foe of the Aggies.

Charley Moran arrived at A&M in 1909 stating, “I did not come here to lose,” and proved immediately to be a man of his word. By the end of the season the University of Texas - - which had lost only one of 17 previous meetings with the Aggies – had been whipped twice.

By 1912, Moran’s Aggies had become so formidable that the great state university in Austin refused to schedule them.

Soon thereafter, in gracious tribute to Moran’s sportsmanlike qualities, the Longhorns came up with a catchy refrain honoring their esteemed adversary:

*To hell, to hell with Charley Moran,  
And all his dirty crew;  
And if you don't like the words to this song,  
Then to hell, to hell with you.*



In 1914, when administrators of eight universities met to write a charter for the Southwest Conference, UT minions agreed to join on one condition: that Moran be fired and barred from the league. In the interests of progress and regional harmony, A&M reluctantly agreed.

But on the eve of the resumption of the A&M-UT series in 1915, the exiled Moran struck the Longhorns one final blow, in the form of a letter of exhortation to the A&M squad.

"If you still love me and think anything of me," it read, "THEN BEAT TEXAS."

A&M complied with a 13-0 upset of the favored Longhorns and inadvertently launched a Texas tradition in the process. When Aggies pranksters branded the score into the hide of UT's longhorn mascot the following year, the steer's mortified handlers were forced to alter the brand to read, "Bevo."

And so, Texas' mascot became permanently named after a popular brand of beer. After a two-year drift, the Aggies came up with another winner to coach the A&M football squad: Dana Xenophon Bible.

His first team, in 1917, was not only undefeated, but unscored- on. Then he departed for a year of service in France during World War I.

Bible returned to A&M in 1919, and his second team was both undefeated and unscored-on. In two seasons, his teams had played 18 games, won them all, and outscored their foes, 545-0.

In 1927, Bible had another undefeated team led by All-American Joel Hunt, and won six SWC titles in all before taking the prestigious head coaching job at Nebraska on the personal recommendation of Notre Dame coach Knute Rockne.

Describing his famous coach, Hunt once said, "Mr Bible did not have to demand respect. You could not keep from respecting him. He was a man who stood above all, and you had to look up to him."

He was also known as a master game day motivator and virtuoso of the Rocknestyle, "Win One for the Gipper" halftime performance in the locker room.

Once, at halftime in a climactic battle with the Longhorns, Bible emulated Col. William B. Travis at the Alamo - - drawing a line on the locker room floor and inviting anyone who wished to beat Texas to step across.

All did, of course, and the Aggies won.

On another occasion, after a miserable first-half performance, Bible refused to talk to his team at halftime.

Finally, just before the team went out for the second half, he walked into the room, looked around, and said, "Well girls, shall we go?" Once again, the Aggies won.

But in 1940, when he was coaching and underdog Texas team against an Aggie squad that had not lost in two years, he read the Edgar Guest poem, *It Can Be Done*, to his team, and the Longhorns won, knocking A&M out of the Rose Bowl.

Just as Bible would do years later, Charley Moran came back to face the 1921 Aggies in the guise of a formidable adversary. The place where he had landed – exiled from the SWC – was Centre College, a small private school in Danville, Kentucky.

At a distance of 77 years, Centre seems scarcely changed today. Playing at the Division III level, the school carries an enrollment of 950, but there are still thrills.



"I love playing here," says current squad member Todd Frakes. "There isn't much media attention, but we play in eight different states. We just travel constantly, and it's a lot of fun."

The teams from the era of World War I and beyond also traveled constantly, but there was a slight difference: during the period of 1917-24, Moran's "Prayin' Colonels" – a moniker they picked up after a halftime prayer session during the 1919 West Virginia game – frequently got bigger headlines than Notre Dame.

In the span, Centre boasted three undefeated teams and posted a total record of 55-8-2. Listed among the victims were Indiana, Clemson, Mississippi, Kentucky, Auburn, Tulane, Tennessee, Alabama, and Georgia – often by margins of six or seven touchdowns.

"Uncle Charley" was at it again, and in 1921 he had perhaps his greatest team. Incredibly, the team boasted three Walter Camp All-Americans: quarterback Alvin (Bo) McMillin, end Red Roberts, and center Red Weaver. McMillin and Roberts were three-time picks. When the Colonels rolled into Dallas amid one of their storied barnstorming tours, they had just flattened Arizona, 38-0, on the West Coast. That brought the season ledger to 10-0, with collective foes having been outscored, 323-6.

But the centerpiece of the campaign had been midseason visit to Cambridge, Mass., where McMillin – later a famed coach in both college and pro ranks – led the Colonels on a date with destiny.

Scoring the game's only touchdown McMillin, formerly a star at Fort Worth's North Side High School, engineered a stunning 6-0 victory over Harvard that snapped a 25-game winning streak for the hosts. For decades – on into the fifties – it was generally regarded as the greatest upset in college football history.

In Gill's recollection, "in our game, Centre was definitely favored – by a whole lot."

The 1921 A&M team opposing this juggernaut was not one of Bible's strongest – having compiled 5-1-2 record with a loss to LSU and ties with Rice and Texas. But it was the SWC champion, and so earned itself a "bowl" trip.

Ominously, it was also a team already severely depleted by injuries – having lost two fullbacks – and only 18 players made the trip to Dallas.

The game received an extensive week-long buildup, beginning on Christmas Day, in the local paper. This was due largely to the fact that three Centre players were from Fort Worth and two from Dallas, among seven Texans on the squad.

Ending a storied career as a three-time All-American and already hired as head coach at Centenary College for the next season, McMillin came home to a hero's welcome, capped by a unique twist: in a ceremony on the morning of the game, he married his high school sweetheart, Miss Maud Marie Miers.

Meanwhile, the Aggies dressed for the game at their downtown hotel and prepared to depart for Fair Park Stadium, a mostly wooded 10,000-seat edifice that predated the Cotton Bowl.

Gill was among them, although he was in street clothes – and, as he recalled it years later, was about the last person in Dallas figuring on taking an active role in the afternoon's contest.

"Throughout high school and college, I always played three sports – football, basketball and baseball," he said. "But my favorite of the three was always basketball, because that's what I seemed best at."

"Although I was on the football team in 1921, I was only a substitute. But I was in line for a regular spot on the basketball team, and the coaches figured I should give it my full attention. So they released me from the team at Thanksgiving, and I concentrated on basketball."



"When the team went up to play Centre, I just went up there like all the other students. I wanted to see the game, and since I lived in Dallas, it also gave me a chance to go home for a visit."

What brought Gill to the hotel on the day of the game was not the idea of playing in it, but simply the thought of being able to get inside the stadium to watch it.

"There were no dressing rooms at the stadium," Gill recalled, "so the team put on their uniforms at the hotel and gathered in the lobby to take cabs to the game. I wanted to go with them because it was a good way to get into the stadium, and I didn't have the \$3 admission price. So I rode in one of the cabs.

"I was standing down on the field talking to Coach Bible before the game, when Jinx Tucker came by. He was the sports editor at the Waco paper and I knew him casually, and he said, 'Hey King, why don't you come up to the press box and spot for me?'

"So I wished Coach Bible luck and told him I'd be up there if he needed me, and I went upstairs with Jinx."

At the time, it was an offhand remark, and Gill had no idea he would actually be needed. That situation changed rapidly, however.

"The trouble started right after the game got underway," Gill said, "We were already missing a kid named (F.K.) Buckner, who had been our fullback but had a bad leg. And pretty soon, we lost so many more players it began to look like we wouldn't be able to finish the game.

"Sammy Sanders was the first to go. They knocked him cold.

"Heine Weir, our team captain and other halfback, was next. He went out with a broken leg. Then we lost our fullback, Bull Johnson, and then our quarterback, Bugs Morris. A halfback named (T.L.) Miller was also injured, so within a short space of time, our whole offensive backfield plus one substitute had gone out of the game.

"I looked down at the field, and old D.X. was waving at the press box and motioning toward our empty bench. He knew I was up there, because he had seen me leave with Jinx. And I knew what he wanted,"

Just to make sure, Bible dispatched an A&M yell leader to the press box, and Gill was soon on his way down to the field.

"Since there were no dressing rooms, I changed clothes under the stands," Gill said, "They gave me clothes to Weir, and I put on his uniform.

"And D.X. was standing there, and he said, 'Boy, it doesn't look like I'm going to have enough players to finish the game. You may have to go in there and just stand around for awhile.'

"But as it turned out, I wasn't needed. All our boys managed to survive from that point forward."

In fact, the Aggies managed a bit more than mere survival. They took a quick 2-0 lead when one of the visitors was tackled in the end zone trying to return a punt, then blunted two Centre drives inside their five-yard line. On one of these, they stopped McMillin on fourth down – inches from the goal line.

The Prayin' Colonels finally launched a drive to take a 7-2 lead, but A&M turned three breaks into quick scores in the second half and held a commanding 22-7 advantage in the fourth quarter. Centre scored once more, but the day belonged to the Aggies.

Gill was certainly not the star of the game, but as the years rolled by, he became its most commanding presence. Ironically, it served to overshadow a distinguished career at A&M in which he won eight varsity letters in three sports.

In the final game of the 1922 season, Gill scored once and set up the other touchdown with along run to lead the Aggies past the hated Longhorns, 14-7.

The game became etched in the collective memory because it would be A&M's last victory in Austin for 34 years – until the unbeaten 1956 powerhouse whipped a 1-9 Texas team (after which the Longhorns, in despair, took a gamble on a young coach named Darrell Royal) – but Gill's heroics were forgotten.

It also went largely forgotten that Gill was a star guard on two conference championship basketball teams.

He graduated from A&M in 1924 with a degree in engineering, coached for a year at Greenville High, then entered the Baylor School of Medicine.

Graduating in 1929, he set up a practice as an eye, ear, nose and throat doctor in San Antonio. In 1935 he moved his practice to Corpus Christi.

For many years, he never gave much thought of the incident that would one day transform him into a legendary, almost mythic figure to thousands of Aggies.

"I think the Fort Worth paper mentioned it at the time," he said, "but I really never heard any more about it for about 15 years afterward.

"The story of the 12<sup>th</sup> Man really originated around 1939-40 when A&M had its national championship team and there was a lot of interest. I think it first resurfaced when a guy named E.E. McQuillen dramatized the incident on a radio broadcast."

In 1941, an Aggie supporter named Lillian Dean Hamilton Munnerlyn, known as "Nanny Munn," wrote a song entitled The Twelfth Man. The song created its own tradition: it was sung as post-game yell practices – but only when the Aggies had lost:

*Texas Aggies down in Aggieland,  
We've got Aggie spirit to a man.  
Stand united! That's the Aggie theme,  
We're the 12<sup>th</sup> an on the team.  
When we're down, the goin's rough and tough,  
We just grin and yell we've got the stuff  
To fight together for the Aggie dream,  
We're the 12<sup>th</sup> man on that fightin' Aggie team*

But the tradition had surfaced as early at 1930, when A&M coach Matty Bell called on the student body to give him a "Twelfth Man" center. He was rewarded with Joe Love, a gritty 5-foot-9, 155-pound center who lettered for two years.

In 1943, when every veteran on the team had gone off to war, Aggie coach Homer Norton placed a notice in the student newspaper asking for volunteers. He held his first team meeting a few days later, surrounded by 135 warm bodies.

But it remained for Jackie Sherrill to elevate the 12<sup>th</sup> Man tradition to the status of national phenomenon ... an idea that became a publicity bonanza and gave its name to a rising dynasty.



When Sherrill announced that his home kickoff unit for 1983 would consist of a kicker and 10 student volunteers, he was greeted by a turnout that would have amazed Homer Norton – 250 men and two women.

When the unit was finally pared down, one of its member, Corps or Cadets member Les Asel, spoke eloquently for the group.

“I never wanted to play college ball, because I figured high school was enough,” he said. “But when this happened, I got fired up about it.

“When we take the field in the opener against California (in 1983), they’re in for a surprise. They’ve never faced a bunch of crazy, insane Aggies screaming down the field before. After all, a guy’s got to be a little bit crazy to come here and wear this uniform and be an Aggie in the first place.

“We’re just trying to help the football team. People say it’s a publicity stunt, but so what? We’re serious about this.

“What you have to understand is, I’m married to Texas A&M. This is part of the Aggie spirit, and I’ve always wanted to be an Aggie.”

The original unit, in ’83, held foes to an average of 13.1 yards per return, and successive towel-waving units vexed not only Bruce’s Buckeyes but Heisman Trophy winners Bo Jackson of Auburn and Tim Brown of Notre Dame in the Cotton Bowl.

R.C. Slocum cut the unit down to one representative – wearing No. 12 – in 1991, saying, “What E. King Gill did in 1922, he did alone – he didn’t have nine other guys with him.”

The effectiveness of the unit had decreased by then, but football fans from New York to California had learned the significance of the 12<sup>th</sup> Man.

By the time Sherrill created his version, the man who inspired the legend was dead.

After a lifetime of community service, he passed his medical practice on to a friend and retired in 1972, at the age of 70. He had been slowed by a heart attack five years earlier, and a hunting accident in 1970 in which he lost part of a finger hampered his capacity to perform surgery.

Also in 1970, he and his wife, Myrtle, had moved to nearby Rockport after Hurricane Celia extensively damaged their Corpus Christi home. By then, they also owned a 300-acre ranch near San Antonio.

He died in December 1976, and was buried in San Antonio.

To the end of his days, the description in his high school yearbook held true. If any man ever believed himself a legend, it wasn’t King Gill.

Olive DeLucia, who arranges travel excursions for former students out of her office on campus, recalls taking the Gills on an Aggie junket to Hawaii.

“We all had a grand time,” she says, “but if you were just one of the people on that trip, you would never have imagined that he (Gill) was the famous 12<sup>th</sup> Man. He was such a nice man, quiet and unassuming, and a gentleman.

“His wife was the expressive one ... she could do that thing where you put two fingers to your mouth and whistle, and I remember thinking what a contrast it was between them.”

But if there was ever a doubt that Gill was an Aggie legend, it was dispelled in 1980, when the statue was placed prominently in front of the 12<sup>th</sup> Man Foundation office near the stadium.



For all the Joel Hunts, Dick Todds, and Joe Routts and John Kimbroughs and Martin Rubys and John David Crows and Jack Pardees that led the Aggies to glory, the only man they ever cast in bronze was E. King Gill.

"It's a tradition that every Aggie can identify with," says A&M historian Jerry Cooper. "Through the years, there have been many attempts to more or less copy it, including the thing with Army and Navy where they stand throughout a game. But in their case, it isn't based on anything.

"People are still making attempts to co-opt it in various ways: there was a recent article in the school paper about Texas A&M Baylor developing special 'tradition' rings.

"But you don't just invent a tradition. Ours is based on a real event that actually happened once. It's history, and it's real. And for every Aggie, it says, 'I'm somebody special.'"

Meanwhile, the beat goes on. What E King Gill started in 1922 has produced a massive fund-raising organization (The 12<sup>th</sup> Man Foundation), a campus statue that students born after his death stare at in admiration, and a tradition wherein thousands of Aggies stand at the ready throughout a game, although in the modern context the thought that any of them might actually be called down to the field is absurd.

Whereas Gill once stood, clutching his misshapen leather helmet and wondering if there would be enough Aggies left to develop a "12<sup>th</sup> Man atmosphere," and Troy Aikman envisioned towel-waving fans "blowing off the roof (what there is of it) a Texas Stadium."

The 12<sup>th</sup> Man has been compared to Biblical heroes and legends of the Old West, and provided the title for a 1974 book on the Aggies' football history.

But A&M is a place where traditions are like sunsets; you see one every day, from the story of the famous War Hymn being composed by a lonely soldier (Pinky Wilson) standing watch on the Rhine during World War I to the sacred turf of Kyle Field, dedicated to the Aggies who died during World War II.

But while many can equate the 12<sup>th</sup> Man tradition to the Muster (held annually on San Jacinto Day), in the opinion of the man responsible for one of them, there was never a comparison.

To Gill, the Muster was the most sacred of Aggie traditions. And having served as an officer in the Pacific in World War II, he was acutely aware of the most famous Muster of them all: held by Aggies on the doomed island fortress of Corregidor just before it fell to the Japanese in 1942.

He visited the site when the Phillipines were retaken, and when he was asked to give an address at a Muster years later, he considered it a great honor.

He recalled being in a assault wave on a Pacific island and shortly discovering a notice on a bulletin board announcing "a meeting of A&M men in tent 402 at 7 p.m. tonight."

"As officer standing near me said, 'You Aggies beat anything I've ever seen. We can establish a beachhead on one of these islands, and in a short time there will be a sign stuck in the sand saying there will be an A&M meeting tonight.'

"I think this probably demonstrates what other people think of Aggies. They may not particularly like us, but they respect us."

And of all the written and spoken accounts of the events of January 2, 1922, probably the most eloquent description of his actions was delivered, on this occasion, by the 12<sup>th</sup> Man himself.

"For one things," he said, "it has made me feel humble and proud to think that I might represent the finest body of young men in the U.S.



“Any one of them could be the 12<sup>th</sup> Man, but he must be ready to stand and fight for the things that are right and the traditions of this country and this school.

“It has made me a better man and a better doctor, and last but not least, a more responsible citizen. It has, on the lighter side, made me the prime target for the many Aggie jokes that come along.

“It is my sincere hope that there will always be the Muster, and there will always be a Cadet Corps at A&M. Without it, there will be no A&M, for within it are found many of our most precious and hallowed tradition.

“As we reach into the future, it is well that we remember the past.”

# Exhibit H

**From:** [Brad Marquardt](#)  
**To:** [Benjamin Dierker \(benjamindierker@gmail.com\)](#); [Matthew Callaway](#)  
**Subject:** FW: E. King Gill  
**Date:** Friday, January 17, 2014 1:53:45 PM  
**Attachments:** [E. King Gill.docx](#)

---

**From:** Jackie Thornton  
**Sent:** Tuesday, January 14, 2014 4:25 PM  
**To:** Brad Marquardt  
**Subject:** E. King Gill

Here you go Marquardt!

Jacqueline Thornton  
Sports Media Relations  
979-845-5725

"The past is behind, learn from it. The future is ahead, prepare for it. The present is here, live it."  
— Thomas S. Monson

# Exhibit I



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E. King Gill never led Texas A&M to a national championship, but because of one simple act in Dallas in 1922, he became the most revered Aggie of them all: the 12th Man. (more...)



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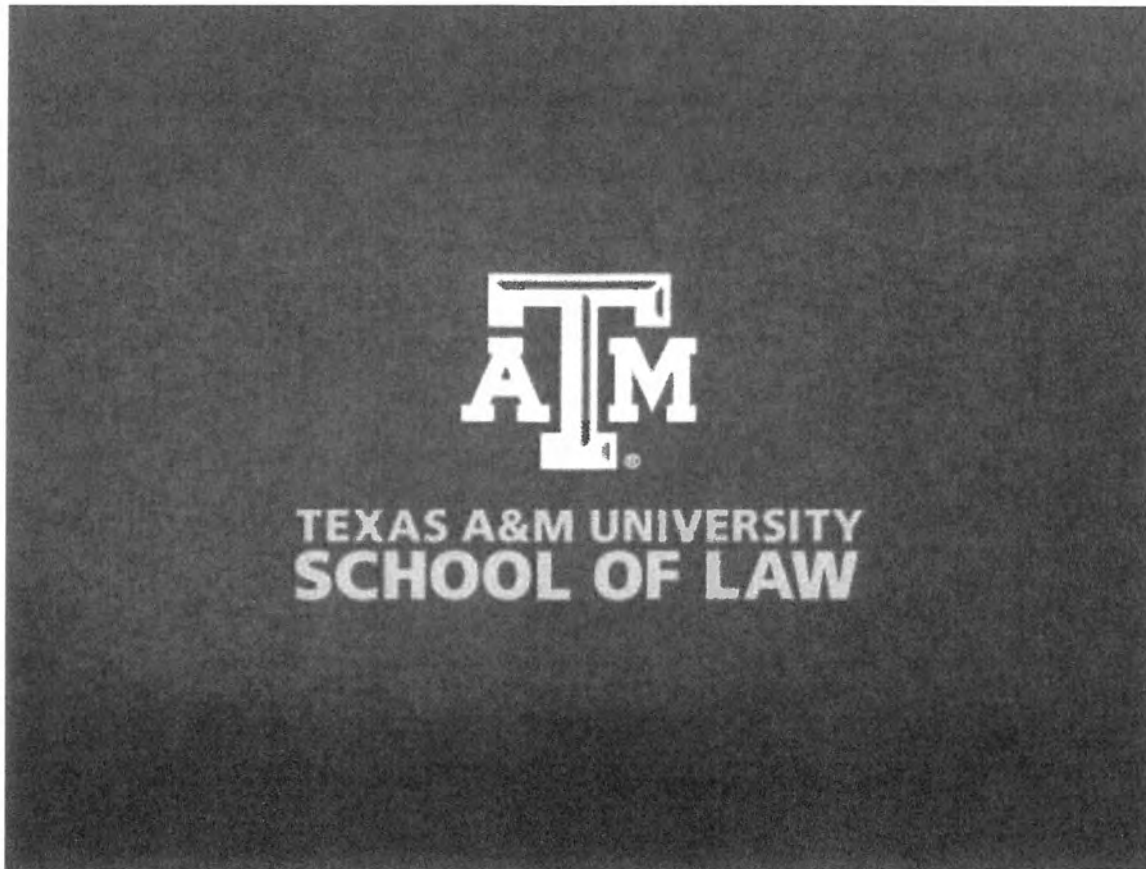
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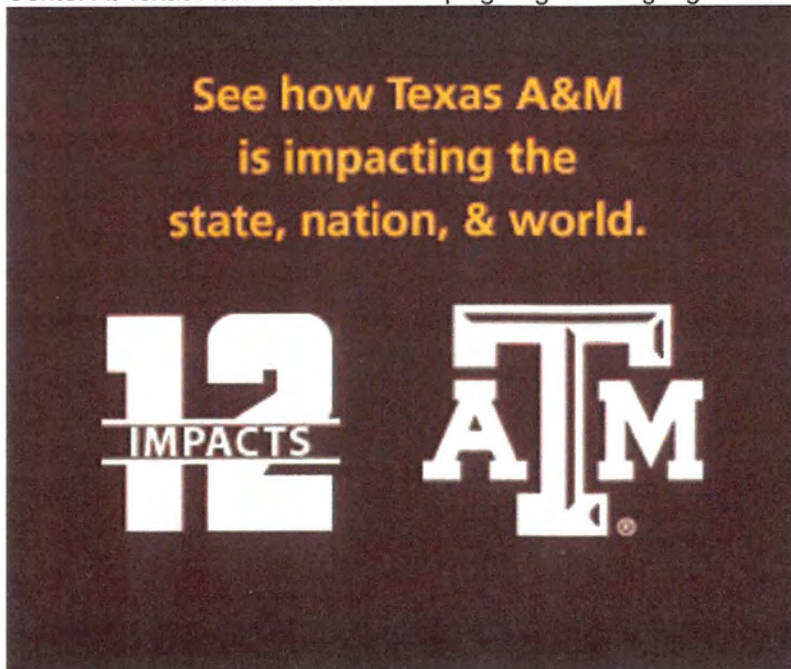
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# THE ORIGINAL 12TH MAN

January 19, 2014

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Courtesy: Texas A&M Athletics

(photo: Texas A&M Athletics)

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## THE ORIGINAL 12TH MAN

*in this retrospective, originally written in 1998,  
we bring you the story of E. King Gill--  
the life and legend of Texas A&M's 12th Man*

**by Whit Canning**  
**special to Texas A&M Athletics**



In December 1986, as Earle Bruce's Ohio State team prepared for a New Year's Day battle with Texas A&M in the Cotton Bowl, visitors to the Buckeyes' practice sessions noticed something a bit odd.

It seemed to occur especially when there were members of the media present: every time the Buckeyes went through a contact drill, they lined up with 12 men on both sides of the ball.

"Well," Bruce deadpanned, when questioned by reporters, "We're playing Texas A&M aren't we? I've always heard that they play with 12 men and we ain't goin' out there shorthanded."

A publicity stunt, to be sure. But also, a tip of the hat to one of the most unique and enduring legends in the history of college football...and for 75 years the Aggies have believed that every time a ball is teed up on an autumn Saturday, they have an edge.

It is the legacy of Edward King Gill, a onetime A&M football player better suited to basketball – a sport in which he achieved All-Southwest Conference recognition. Since he was known throughout his life by his middle name, "Edward" was soon shortened to just the initial "E".

Hence the legend of E. King Gill, a youth blessed with marvelous energy of mind, body and spirit—who in one sense, at least, was destined to become a remarkable failure.

In his senior yearbook at Oak Cliff High School (now Adamson) in Dallas, Gill is described as "boy who avoids public praise as much as possible, preferring to have his success pass without display."

It is a view of Gill that endured through the 74 years of his life, which ended in December 1976. But given the fact that a statue of him now stands at the north end of Kyle Field and that no student has passed through A&M in three quarters of a century without learning his name, his determination to "avoid public praise" was singularly unsuccessful.

He never led A&M to a national championship, as did John Kimbrough, nor

did he win a Heisman Trophy, as did John David Crow. He was never even named all-conference in football, toiling in the shadow of Aggie gridiron stars such as Puny Wilson, Bull Johnson, Sam Sanders and Cap Murrah.

But because of one inspirational act in Dallas on January 2, 1922, he eventually became the most revered Aggie of them all: The Twelfth Man.

On that day, Gill – a sophomore sub who had been released from the varsity team in November so he could concentrate on basketball – sat in the press box spotting for a Waco newspaper while the Aggies struggled against unbeaten Centre College in the Dixie Classic, which was a distant forerunner of the Cotton Bowl game.

As the A&M squad, which totaled 18 at the kickoff, began to dwindle with injuries a desperate call for help came from the bench. Moments later, dressed in a fallen teammate's uniform, Gill walked from beneath the stands and into the pages of history - taking his place on the sideline, ready to battle fate for the Aggies.

He stood there all day... never needed, taking no physical part in A&M's 22-14 upset victory.

Almost apologetically, Gill laughed about it years later, saying, "I really wish I could say I went in and scored the winning touchdown, because it would have made a much better story. But I didn't, I just stood there."

But as time passed, Gill's act that day grew to the status of legend, and eventually came to symbolize the spirit of the Aggies.

For another 40 years, A&M remained a relatively small, close-knit military school centered on its Corps of Cadets. It became, in time, a place famed for its myriad traditions. The legend of the 12<sup>th</sup> Man would soon become one of the greatest of all Aggie traditions.

"Probably, along with the annual Aggie Muster, it has become the greatest of all the traditions at A&M," says Harry Green, who graduated in 1952 and later spent 14 years as the director of the Twelfth Man Foundation. "I think

it's basically the way all Aggies identify themselves.”

By the time Green got to College Station, the Corps had developed the tradition of standing throughout each game, symbolizing each man's willingness to step down out of the stands – as Gill once had – and help the team.

“In those days, there were all sorts of things you had to go through when you came in as a freshman,” Green says, “including being constantly quizzed on Aggie lore. The 12<sup>th</sup> Man story was the question you had to be prepared to answer each night if you wanted your dessert.”

Although A&M began expanding tremendously in the sixties with the admission of women and non-corps students, the 12<sup>th</sup> Man legend was so firmly entrenched that it easily survived, and was enthusiastically adopted by all incoming students.

“It has outlived E. King Gill, and it will outlive us all” Green says. “The 12<sup>th</sup> Man tradition will never die.”

It has survived because it also symbolizes the devotion – stated often throughout the years – of one Aggie to another. Arthur Dietrich, a member of the 1921 team, once said that “there was a closeness and a love on that team that is seldom seen, and we dedicated ourselves to that game.”

The game (the 1922 Dixie Classic against Centre College) that launched the legend was remarkable in a number of ways, not least of which being the presence of two of the greatest football minds of the collegiate game's early years – both of whom served, at various times, as savior and foe of the Aggies.

Charley Moran arrived at A&M in 1909 stating, “I did not come here to lose,” and proved immediately to be a man of his word. By the end of the season the University of Texas - which had lost only one of 17 previous meetings with the Aggies – had been whipped twice.

By 1912, Moran's Aggies had become so formidable that the great state

university in Austin refused to schedule them.

Soon thereafter, in gracious tribute to Moran's sportsmanlike qualities, the Longhorns came up with a catchy refrain honoring their esteemed adversary:

*To hell, to hell with Charley Moran,*

*And all his dirty crew;*

*And if you don't like the words to this song,*

*Then to hell, to hell with you.*

In 1914, when administrators of eight universities met to write a charter for the Southwest Conference, UT minions agreed to join on one condition: that Moran be fired and barred from the league. In the interests of progress and regional harmony, A&M reluctantly agreed.

But on the eve of the resumption of the A&M-UT series in 1915, the exiled Moran struck the Longhorns one final blow, in the form of a letter of exhortation to the A&M squad.

"If you still love me and think anything of me," it read, "THEN BEAT TEXAS."

A&M complied with a 13-0 upset of the favored Longhorns and inadvertently launched a Texas tradition in the process. When Aggies pranksters branded the score into the hide of UT's longhorn mascot the following year, the steer's mortified handlers were forced to alter the brand to read, "Bevo."

And so, Texas' mascot became permanently named after a popular brand of beer. After a two-year drift, the Aggies came up with another winner to coach the A&M football squad: Dana Xenophon Bible.

His first team, in 1917, was not only undefeated, but unscored- on. Then he departed for a year of service in France during World War I.



Bible returned to A&M in 1919, and his second team was both undefeated and unscored-on. In two seasons, his teams had played 18 games, won them all, and outscored their foes, 545-0.

In 1927, Bible had another undefeated team led by All-American Joel Hunt, and won six SWC titles in all before taking the prestigious head coaching job at Nebraska on the personal recommendation of Notre Dame coach Knute Rockne.

Describing his famous coach, Hunt once said, “Mr Bible did not have to demand respect. You could not keep from respecting him. He was a man who stood above all, and you had to look up to him.”

He was also known as a master game day motivator and virtuoso of the Rocknestyle, “Win One for the Gipper” halftime performance in the locker room.

Once, at halftime in a climactic battle with the Longhorns, Bible emulated Col. William B. Travis at the Alamo - drawing a line on the locker room floor and inviting anyone who wished to beat Texas to step across.

All did, of course, and the Aggies won.

On another occasion, after a miserable first-half performance, Bible refused to talk to his team at halftime.

Finally, just before the team went out for the second half, he walked into the room, looked around, and said, “Well girls, shall we go?” Once again, the Aggies won.

But in 1940, when he was coaching and underdog Texas team against an Aggie squad that had not lost in two years, he read the Edgar Guest poem, *It Can Be Done*, to his team, and the Longhorns won, knocking A&M out of the Rose Bowl.

Just as Bible would do years later, Charley Moran came back to face the 1921 Aggies in the guise of a formidable adversary. The place where he had landed – exiled from the SWC – was Centre College, a small private school

in Danville, Kentucky.

At a distance of 77 years, Centre seems scarcely changed today. Playing at the Division III level, the school carries an enrollment of 950, but there are still thrills.

“I love playing here,” says current squad member Todd Frakes. “There isn’t much media attention, but we play in eight different states. We just travel constantly, and it’s a lot of fun.”

The teams from the era of World War I and beyond also traveled constantly, but there was a slight difference: during the period of 1917-24, Moran’s “Prayin’ Colonels” – a moniker they picked up after a halftime prayer session during the 1919 West Virginia game – frequently got bigger headlines than Notre Dame.

In the span, Centre boasted three undefeated teams and posted a total record of 55-8-2. Listed among the victims were Indiana, Clemson, Mississippi, Kentucky, Auburn, Tulane, Tennessee, Alabama, and Georgia – often by margins of six or seven touchdowns.

“Uncle Charley” was at it again, and in 1921 he had perhaps his greatest team. Incredibly, the team boasted three Walter Camp All-Americans: quarterback Alvin (Bo) McMillin, end Red Roberts, and center Red Weaver. McMillin and Roberts were three-time picks. When the Colonels rolled into Dallas amid one of their storied barnstorming tours, they had just flattened Arizona, 38-0, on the West Coast. That brought the season ledger to 10-0, with collective foes having been outscored, 323-6.

But the centerpiece of the campaign had been midseason visit to Cambridge, Mass., where McMillin – later a famed coach in both college and pro ranks – led the Colonels on a date with destiny

Scoring the game’s only touchdown McMillin, formerly a star at Fort Worth’s North Side High School, engineered a stunning 6-0 victory over Harvard that snapped a 25-game winning streak for the hosts. For decades – on into the fifties – it was generally regarded as the greatest upset in college

football history.

In Gill's recollection, "in our game, Centre was definitely favored – by a whole lot."

The 1921 A&M team opposing this juggernaut was not one of Bible's strongest – having compiled 5-1-2 record with a loss to LSU and ties with Rice and Texas. But it was the SWC champion, and so earned itself a "bowl" trip.

Ominously, it was also a team already severely depleted by injuries – having lost two fullbacks – and only 18 players made the trip to Dallas.

The game received an extensive week-long buildup, beginning on Christmas Day, in the local paper. This was due largely to the fact that three Centre players were from Fort Worth and two from Dallas, among seven Texans on the squad.

Ending a storied career as a three-time All-American and already hired as head coach at Centenary College for the next season, McMillin came home to a hero's welcome, capped by a unique twist: in a ceremony on the morning of the game, he married his high school sweetheart, Miss Maud Marie Miers.

Meanwhile, the Aggies dressed for the game at their downtown hotel and prepared to depart for Fair Park Stadium, a mostly wooded 10,000-seat edifice that predated the Cotton Bowl.

Gill was among them, although he was in street clothes – and, as he recalled it years later, was about the last person in Dallas figuring on taking an active role in the afternoon's contest.

"Throughout high school and college, I always played three sports – football, basketball and baseball," he said. "But my favorite of the three was always basketball, because that's what I seemed best at.

"Although I was on the football team in 1921, I was only a substitute. But I was in line for a regular spot on the basketball team, and the coaches figured

I should give it my full attention. So they released me from the team at Thanksgiving, and I concentrated on basketball.

“When the team went up to play Centre, I just went up there like all the other students. I wanted to see the game, and since I lived in Dallas, it also gave me a chance to go home for a visit.”

What brought Gill to the hotel on the day of the game was not the idea of playing in it, but simply the thought of being able to get inside the stadium to watch it.

“There were no dressing rooms at the stadium,” Gill recalled, “so the team put on their uniforms at the hotel and gathered in the lobby to take cabs to the game. I wanted to go with them because it was a good way to get into the stadium, and I didn’t have the \$3 admission price. So I rode in one of the cabs.

“I was standing down on the field talking to Coach Bible before the game, when Jinx Tucker came by. He was the sports editor at the Waco paper and I knew him casually, and he said, ‘Hey King, why don’t you come up to the press box and spot for me?’

“So I wished Coach Bible luck and told him I’d be up there if he needed me, and I went upstairs with Jinx.”

At the time, it was an offhand remark, and Gill had no idea he would actually be needed. That situation changed rapidly, however.

“The trouble started right after the game got underway,” Gill said, “We were already missing a kid named (F.K.) Buckner, who had been our fullback but had a bad leg. And pretty soon, we lost so many more players it began to look like we wouldn’t be able to finish the game.

“Sammy Sanders was the first to go. They knocked him cold.

“Heine Weir, our team captain and other halfback, was next. He went out with a broken leg. Then we lost our fullback, Bull Johnson, and then our quarterback, Bugs Morris. A halfback named (T.L.) Miller was also injured,



so within a short space of time, our whole offensive backfield plus one substitute had gone out of the game.

“I looked down at the field, and old D.X. was waving at the press box and motioning toward our empty bench. He knew I was up there, because he had seen me leave with Jinx. And I knew what he wanted,”

Just to make sure, Bible dispatched an A&M yell leader to the press box, and Gill was soon on his way down to the field.

“Since there were no dressing rooms, I changed clothes under the stands,” Gill said, “They gave my clothes to Weir, and I put on his uniform.

“And D.X. was standing there, and he said, ‘Boy, it doesn’t look like I’m going to have enough players to finish the game. You may have to go in there and just stand around for awhile.’

“But as it turned out, I wasn’t needed. All our boys managed to survive from that point forward.”

In fact, the Aggies managed a bit more than mere survival. They took a quick 2-0 lead when one of the visitors was tackled in the end zone trying to return a punt, then blunted two Centre drives inside their five-yard line. On one of these, they stopped McMillin on fourth down – inches from the goal line.

The Prayin’ Colonels finally launched a drive to take a 7-2 lead, but A&M turned three breaks into quick scores in the second half and held a commanding 22-7 advantage in the fourth quarter. Centre scored once more, but the day belonged to the Aggies.

Gill was certainly not the star of the game, but as the years rolled by, he became its most commanding presence. Ironically, it served to overshadow a distinguished career at A&M in which he won eight varsity letters in three sports.

In the final game of the 1922 season, Gill scored once and set up the other touchdown with along run to lead the Aggies past the hated Longhorns,

14-7.

The game became etched in the collective memory because it would be A&M's last victory in Austin for 34 years – until the unbeaten 1956 powerhouse whipped a 1-9 Texas team (after which the Longhorns, in despair, took a gamble on a young coach named Darrell Royal) – but Gill's heroics were forgotten.

It also went largely forgotten that Gill was a star guard on two conference championship basketball teams.

He graduated from A&M in 1924 with a degree in engineering, coached for a year at Greenville High, then entered the Baylor School of Medicine.

Graduating in 1929, he set up a practice as an eye, ear, nose and throat doctor in San Antonio. In 1935 he moved his practice to Corpus Christi.

For many years, he never gave much thought of the incident that would one day transform him into a legendary, almost mythic figure to thousands of Aggies.

"I think the Fort Worth paper mentioned it at the time," he said, "but I really never heard any more about it for about 15 years afterward.

"The story of the 12<sup>th</sup> Man really originated around 1939-40 when A&M had its national championship team and there was a lot of interest. I think it first resurfaced when a guy named E. E. McQuillen dramatized the incident on a radio broadcast."

In 1941, an Aggie supporter named Lillian Dean Hamilton Munnerlyn, known as "Nanny Munn," wrote a song entitled The Twelfth Man. The song created its own tradition: it was sung as post-game yell practices – but only when the Aggies had lost:

*Texas Aggies down in Aggieland,*

*We've got Aggie spirit to a man.*

*Stand united! That's the Aggie theme,*

*We're the 12<sup>th</sup> an on the team.*

*When we're down, the goin's rough and tough,*

*We just grin and yell we've got the stuff*

*To fight together for the Aggie dream,*

*We're the 12<sup>th</sup> man on that fightin' Aggie team*

But the tradition had surfaced as early as 1930, when A&M coach Matty Bell called on the student body to give him a “Twelfth Man” center. He was rewarded with Joe Love, a gritty 5-foot-9, 155-pound center who lettered for two years.

In 1943, when every veteran on the team had gone off to war, Aggie coach Homer Norton placed a notice in the student newspaper asking for volunteers. He held his first team meeting a few days later, surrounded by 135 warm bodies.

But it remained for Jackie Sherrill to elevate the 12<sup>th</sup> Man tradition to the status of national phenomenon ... an idea that became a publicity bonanza and gave its name to a rising dynasty.

When Sherrill announced that his home kickoff unit for 1983 would consist of a kicker and 10 student volunteers, he was greeted by a turnout that would have amazed Homer Norton – 250 men and two women.

When the unit was finally pared down, one of its member, Corps of Cadets member Les Asel, spoke eloquently for the group.

“I never wanted to play college ball, because I figured high school was enough,” he said. “But when this happened, I got fired up about it.

“When we take the field in the opener against California (in 1983), they’re in for a surprise. They’ve never faced a bunch of crazy, insane Aggies

screaming down the field before. After all, a guy's got to be a little bit crazy to come here and wear this uniform and be an Aggie in the first place.

“We're just trying to help the football team. People say it's a publicity stunt, but so what? We're serious about this.

“What you have to understand is, I'm married to Texas A&M. This is part of the Aggie spirit, and I've always wanted to be an Aggie.”

The original unit, in '83, held foes to an average of 13.1 yards per return, and successive towel-waving units vexed not only Bruce's Buckeyes but Heisman Trophy winners Bo Jackson of Auburn and Tim Brown of Notre Dame in the Cotton Bowl.

R.C. Slocum cut the unit down to one representative – wearing No. 12 – in 1991, saying, “What E. King Gill did in 1922, he did alone – he didn't have nine other guys with him.”

The effectiveness of the unit had decreased by then, but football fans from New York to California had learned the significance of the 12<sup>th</sup> Man.

By the time Sherrill created his version, the man who inspired the legend was dead.

After a lifetime of community service, he passed his medical practice on to a friend and retired in 1972, at the age of 70. He had been slowed by a heart attack five years earlier, and a hunting accident in 1970 in which he lost part of a finger hampered his capacity to perform surgery.

Also in 1970, he and his wife, Myrtle, had moved to nearby Rockport after Hurricane Celia extensively damaged their Corpus Christi home. By then, they also owned a 300-acre ranch near San Antonio.

He died in December 1976, and was buried in San Antonio.

To the end of his days, the description in his high school yearbook held true. If any man ever believed himself a legend, it wasn't King Gill.



Olive DeLucia, who arranges travel excursions for former students out of her office on campus, recalls taking the Gills on an Aggie junket to Hawaii.

“We all had a grand time,” she says, “but if you were just one of the people on that trip, you would never have imagined that he (Gill) was the famous 12<sup>th</sup> Man. He was such a nice man, quiet and unassuming, and a gentleman.

“His wife was the expressive one ... she could do that thing where you put two fingers to your mouth and whistle, and I remember thinking what a contrast it was between them.”

But if there was ever a doubt that Gill was an Aggie legend, it was dispelled in 1980, when the statue was placed prominently in front of the 12<sup>th</sup> Man Foundation office near the stadium.

For all the Joel Hunts, Dick Todds, and Joe Routts and John Kimbroughs and Martin Rubys and John David Crows and Jack Pardees that led the Aggies to glory, the only man they ever cast in bronze was E. King Gill.

“It’s a tradition that every Aggie can identify with,” says A&M historian Jerry Cooper. “Through the years, there have been many attempts to more or less copy it, including the thing with Army and Navy where they stand throughout a game. But in their case, it isn’t based on anything.

“People are still making attempts to co-opt it in various ways: there was a recent article in the school paper about Baylor developing special ‘tradition’ rings.

“But you don’t just invent a tradition. Ours is based on a real event that actually happened once. It’s history, and it’s real. And for every Aggie, it says, ‘I’m somebody special.’”

Meanwhile, the beat goes on. What E King Gill started in 1922 has produced a massive fund-raising organization (The 12<sup>th</sup> Man Foundation), a campus statue that students born after his death stare at in admiration, and a tradition wherein thousands of Aggies stand at the ready throughout a game, although in the modern context the thought that any of them might actually be called

down to the field is absurd.

Whereas Gill once stood, clutching his misshapen leather helmet and wondering if there would be enough Aggies left to develop a “12<sup>th</sup> Man atmosphere,” and Troy Aikman envisioned towel-waving fans “blowing off the roof (what there is of it) a Texas Stadium.”

The 12<sup>th</sup> Man has been compared to Biblical heroes and legends of the Old West, and provided the title for a 1974 book on the Aggies’ football history.

But A&M is a place where traditions are like sunsets; you see one every day, from the story of the famous War Hymn being composed by a lonely soldier (Pinky Wilson) standing watch on the Rhine during World War I to the sacred turf of Kyle Field, dedicated to the Aggies who died during World War II.

But while many can equate the 12<sup>th</sup> Man tradition to the Muster (held annually on San Jacinto Day), in the opinion of the man responsible for one of them, there was never a comparison.

To Gill, the Muster was the most sacred of Aggie traditions. And having served as an officer in the Pacific in World War II, he was acutely aware of the most famous Muster of them all: held by Aggies on the doomed island fortress of Corregidor just before it fell to the Japanese in 1942.

He visited the site when the Philippines were retaken, and when he was asked to give an address at a Muster years later, he considered it a great honor.

He recalled being in an assault wave on a Pacific island and shortly discovering a notice on a bulletin board announcing “a meeting of A&M men in tent 402 at 7 p.m. tonight.”

“As officer standing near me said, ‘You Aggies beat anything I’ve ever seen. We can establish a beachhead on one of these islands, and in a short time there will be a sign stuck in the sand saying there will be an A&M meeting tonight.’

“I think this probably demonstrates what other people think of Aggies. They may not particularly like us, but they respect us.”

And of all the written and spoken accounts of the events of January 2, 1922, probably the most eloquent description of his actions was delivered, on this occasion, by the 12<sup>th</sup> Man himself.

“For one things,” he said, “it has made me feel humble and proud to think that I might represent the finest body of young men in the U.S.

“Any one of them could be the 12<sup>th</sup> Man, but he must be ready to stand and fight for the things that are right and the traditions of this country and this school.

“It has made me a better man and a better doctor, and last but not least, a more responsible citizen. It has, on the lighter side, made me the prime target for the many Aggie jokes that come along.

“It is my sincere hope that there will always be the Muster, and there will always be a Cadet Corps at A&M. Without it, there will be no A&M, for within it are found many of our most precious and hallowed tradition.

“As we reach into the future, it is well that we remember the past.”

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· Texas A&M Athletics @AggieAthletics

Bundle and save on this weekend's @AggieMensHoops and @AggieWBB action. Get tix to both for as low as \$8 <http://tx.ag/Jan2526>

#12thMan

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. 22h



. **Aggie Men's Hoops** @AggieMensHoops

The stage for tonight's primetime match up. Aggies & Wildcats tip off at 8 PM (CT) on ESPN #12thMan #AggieHoops [pic.twitter.com/CGxaAUbYxm](https://pic.twitter.com/CGxaAUbYxm)  
Retweeted by Texas A&M Athletics

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. 23h



. **Aggie Men's Hoops** @AggieMensHoops

Morning shoot-around at Rupp Arena #12thMan #AggieHoops  
[pic.twitter.com/sTI6AGKgKH](https://pic.twitter.com/sTI6AGKgKH)  
Retweeted by Texas A&M Athletics

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. 20 Jan



. **Will Johnson** @12ManTVWill

<http://m.youtube.com/watch?v=z533BCVGAP8>

... --> good day to look back at @AggieFootball trip to MLK historic site

as part of @chickfilabowl week. #12thMan  
Retweeted by Texas A&M Athletics

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20 Jan



**Aggie Men's Hoops** @AggieMensHoops

Congrats to Davonte Fitzgerald (@Slimte3k) on being named SEC  
Freshman of the Week #12thMan #AggieHoops  
Retweeted by Texas A&M Athletics

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20 Jan



**Aggie Men's Hoops** @AggieMensHoops

The #Aggies head to Lexington for a "Super Tuesday" showdown vs.  
Kentucky... Get to know the Wildcats before tipoff! [http://](http://ow.ly/i/4ljjr)  
[ow.ly/i/4ljjr](http://ow.ly/i/4ljjr)

Retweeted by Texas A&M Athletics

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20 Jan



. **Aggie Women's Hoops** @AggieWBB

Congratulations to Courtney Walker, who was named SEC Player of the Week! @CourtneyJ\_33 [pic.twitter.com/PZybXTIBxM](https://pic.twitter.com/PZybXTIBxM)  
Retweeted by Texas A&M Athletics

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. 19 Jan



. **Aggie Women's Hoops** @AggieWBB

AGGIES WIN! The Aggies win their eighth straight game, defeating Mississippi State 73-35!  
Retweeted by Texas A&M Athletics

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. 19 Jan



. **Aggie Women's Hoops** @AggieWBB

A&M wins 73-35! Go inside the win with today's infographic. #12thMan  
[pic.twitter.com/xUJsdOKgVW](https://pic.twitter.com/xUJsdOKgVW)  
Retweeted by Texas A&M Athletics

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19 Jan



**Aggie Men's Tennis** @AggieMTEN

Spring opener today at noon vs Louisiana Lafayette, second match at 4 against UTPA. 1st 250 fans get free #12thMan towels  
Retweeted by Texas A&M Athletics

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18 Jan



**Texas A&M Swimming** @AggieSwimDive

No. 2 Aggies take 11 of 16 events in road win over LSU... <http://fb.me/6BL1JrkTn>

Retweeted by Texas A&M Athletics

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18 Jan



**Aggie Women's Hoops** @AggieWBB

RT if you plan on joining us tomorrow at 2 pm for our game vs. @HailStateWBK. We need the #12thMan to help us #RockReed

Retweeted by Texas A&M Athletics

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18 Jan



**aggietrk** @aggietrk

Recap of Texas A&M 10-Team Invitational with complete results. [http://www.aggieathletics.com/ViewArticle.dbml?DB\\_OEM\\_ID=27300&ATCLID=209379472](http://www.aggieathletics.com/ViewArticle.dbml?DB_OEM_ID=27300&ATCLID=209379472)

Retweeted by Texas A&M Athletics

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18 Jan



**Aggie Tickets** @AggieTickets

Big time game Sunday at 2 for @aggiewbb vs MSU. Kids under 12 get in free w/an adult GA purchase. #12thMan #takemeout  
Retweeted by Texas A&M Athletics

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18 Jan



**Aggie Men's Hoops** @AggieMensHoops

The calm before the storm in the Aggie lockerroom #12thMan  
#AggieHoops pic.twitter.com/zOFQhofYPQ  
Retweeted by Texas A&M Athletics

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17 Jan



**Aggie Men's Hoops** @AggieMensHoops

Hear @Coach\_Kennedy @K\_three2Rob & @JDotGreenX116 talk about  
this weekend's match-up with Miss State #12thMan - [http://](http://youtu.be/M-U7m7rVew4)  
[youtu.be/M-U7m7rVew4](http://youtu.be/M-U7m7rVew4)

Retweeted by Texas A&M Athletics

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**Texas A&M Football** @AggieFootball

Aggie Football: It's a Lifestyle [http://](http://youtu.be/Aqsv4wr5dJ0)  
[youtu.be/Aqsv4wr5dJ0](http://youtu.be/Aqsv4wr5dJ0)

#12thMan  
Retweeted by Texas A&M Athletics

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. 17 Jan



. **Aggie Men's Hoops** @AggieMensHoops

The #Aggies head to Starkville this weekend! Get to know the Bulldogs before the 12:30pm tip off Saturday! #12thMan <http://ow.ly/i/4k140>

Retweeted by Texas A&M Athletics

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. **Texas A&M Athletics** @AggieAthletics

Today's #Studio12Live is packed w/ @LJacksonTAMU, @CoachGaryBlair, @AggieMTEN's Steve Denton, @aggietrk's Pat Henry Live at 12 on @Zone1150

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. **Texas A&M Athletics** @AggieAthletics



During both @AggieTrk meets this weekend, register to win a 22" TV, Beats Headphones and much more at the @12thManRewards tables. #12thMan

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# Exhibit J



## Message

**From:** Smith, Krista L [krista.smith@tamu.edu]  
**Sent:** 1/17/2014 11:04:37 PM  
**To:** Hinckley, Shane [shane.hinckley@tamu.edu]; Jason Cook [/O=ATHLETICSMAIL/OU=First Administrative Group/cn=Recipients/cn=JasonCook]; Matthew Callaway [/O=ATHLETICSMAIL/OU=First Administrative Group/cn=Recipients/cn=mcallaway]  
**Subject:** #12thMan plan

Hi Shane and Jason,

Below is the #12thMan social media plan for this Sunday that Matt and I have been working on this week—content will be pushed from Facebook, Twitter, and Instagram between 4-9p.m. (kickoff for the NFC Championship is scheduled for 5:30p.m.).

**FB**

Both the Texas A&M and the Aggie Athletics Facebook pages will update their cover photos to shots of “Home of the 12th Man” at some point during the game. These are unique, but complementary images—the shot for Athletics is more closely cropped and focused on the actual words, while the university’s is a wider shot showing most of the second and third decks.

**Twitter – 1 or 2 of the Athletics tweets will hopefully come from Sumlin**

4p.m. @AggieFootball: Since 1922 the #12thMan has made Aggieland his home [photo of E. King Gill and link to story posted on aggieathletics.com]

4:30p.m. @TAMU: Texas A&M University: Home of the #12thMan [photo of 12th Man banners outside Kyle Field]

5p.m. @AggieFootball: E. King Gill: Texas A&M’s original #12thMan [photo of 12th Man statue]

5:30p.m. @TAMU: “I simply stood by in case my team needed me.” – E. King Gill, Texas A&M’s original #12thMan

6p.m. @AggieFootball: .@ESPN featured THE #12thMan in a @CollegeGameDay commercial: <http://youtu.be/HL-ZLJoHW1E> #tamu Need Jason to give ESPN the heads up

6:30p.m. @TAMU: RT if you’ve seen Texas A&M’s #12thMan in action! Whoop! [photo of kid in 12th Man jersey waving a 12th Man flag]

7p.m. @AggieFootball: To the #12thMan, @TAMU, Kerrville and Aggies everywhere, this @HeismanTrophy is for you. Gig 'em - @jmanziel2 [IG clip from acceptance speech]

7:30p.m. @TAMU: At Texas A&M, what you stand for says a lot about who you are. [http://youtu.be/RYYNa9\\_wGhw](http://youtu.be/RYYNa9_wGhw) #tamu #12thMan

8p.m. @AggieFootball: Remember this iconic #12thMan moment? @WarrenBarhorst steals towel from @81TimBrown in 1988 @ATTCottonBowl. [photo of Barhorst and Brown]

8:30p.m. @TAMU: Texas A&M students stand ready to serve and support their team. Gig 'em, #12thMan! #tamu [photo of student section]

\*9p.m. @AggieFootball:

**IF SEAHAWKS WIN:** The #12thMan congratulates Red Bryant, @Cmike33 & @mosesbread72 for making it to the @SuperBowl [image of the 3 of them in A&M uniform in front of student section]

**IF SEAHAWKS LOSE:** The #12thMan congratulates Red Bryant, @Cmike33 & @mosesbread72 for a great season [image of the 3 of them in A&M uniform in front of student section]

*\*Will also tweet a congrats to Tony Jerod-Eddie, who plays for 49ers, but that will come out later in the evening; @TAMU will RT both of these*

**IG**

As listed above, @AggieAthletics will have an Instagram video clip from Johnny's acceptance speech at the Heisman Ceremony.

@TAMU will post a graphic of the 12th Man Statue with #12th Man on it during the game.

Please let Matt and I know if you have any questions or concerns about anything we've included—we really think this is going to make a big statement.

Thanks!

**Krista Smith**

Communications Coordinator  
Division of Marketing & Communications  
Texas A&M University  
[krista.smith@tamu.edu](mailto:krista.smith@tamu.edu)

1372 TAMU | College Station, TX 77843

Tel. 979.845.4645 | Fax 979.845.9909

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# **Exhibit K**



# THE TEXAS A&M UNIVERSITY SYSTEM



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## Employee Use & Engagement Guidelines

The Texas A&M University System recognizes the importance and benefits of communicating through social media. Social media is a powerful vehicle through which the A&M System and its entities may disseminate relevant news, listen to voices and connect with our audiences online.

These are official guidelines for participating and engaging in social media on behalf of or as a representative of The Texas A&M University System and any of its entities. They apply to A&M System employees and contractors creating or contributing to blogs, wikis, social networks, virtual worlds or any other externally facing (public internet) social media community as part of their work for the A&M System. These guidelines do not cover faculty use of social media for instructional purposes.

The A&M System requires those who participate in social media on its behalf to (1) understand the technology they are using and (2) abide by the following principles and engagement guidelines. Failure to do so may damage the A&M System's reputation and standing and may result in consequences for the responsible employee or contractor. A&M System social media participants also have an obligation to stay abreast of changes to official guidelines as new technologies and social networking tools emerge, these guidelines may evolve in response.

### SUMMARY OF BASIC PRINCIPLES

- Have clear plans, strategies, goals and clearly defined social media responsibilities before engaging on social media.
- Be responsible for continuous monitoring, maintenance and timely response.
- Add value with unique, strategic information and commentary about the A&M System and its entities.
- Be transparent, and avoid misrepresentation.
- Write about what you know, and stick to your area of expertise when commenting.
- Be a team player in reporting developments and sharing findings internally across units.
- Post meaningful, respectful comments — no spam, off-topic or unprofessional remarks.
- Always pause and think before posting, and consult with a manager or expert if unsure.



- If you make a mistake, admit it — and be upfront and quick with your correction.
- Respect confidentiality of all participants, and never disclose student information.
- Respect copyright laws and give credit to sources of written content, images and ideas you reference or use.
- Handle negative comments and developments quickly, professionally and strategically. Keep the conversation brief and don't engage in an argument.
- Always use proper grammar and write clearly. Follow the writing style guidelines of your university or agency.
- Know and follow A&M System and your institutional policies on computing, information, conduct and technology.

## ENGAGEMENT GUIDELINES

I. Plan to ensure strategic and sustainable engagement. The decision to use Social Media Tools is a business decision based on an institution or agency's specific needs and the appropriate scope of its use. Before starting a social media program, consult with your Marketing and Communications Office on strategy to ensure that the proposed program not only supports your institutional and departmental or unit strategic plans and objectives, but that it is also sustainable. Some colleges or departments may also require authorization from the college or department level communications department. Before starting a social media program on behalf of any A&M System entity, an employee must have authorization from his or her unit or division supervisor. Institutional-issued email accounts must be used for account setup, not solely the personal email accounts of employees. Each social media account must have more than one administrator with access to the social media account.

II. Be clear and professional. Employees that are designated to represent the A&M System and its members and agencies on social media sites must maintain a high level of ethical conduct and professional decorum. Individuals authorized to post on A&M System social media sites shall present information that is accurate, relevant and factual. It should also follow professional standards for grammar, spelling and clarity.

III. Actively maintain social media programs and constituent engagement. The A&M System expects employees and contractors engaging in social media on its behalf to ensure that content is kept current, posts are made consistently and responses are timely. Any A&M System-affiliated social media sites with no activity for 90 days or more should be inactivated. Inactivation includes making the account private or noting the inactive status in the bio or about section of the account. Methodical monitoring and assessment, together with active management, is a requirement for engaging in social media successfully and productively on behalf of the A&M System or any of its entities.

IV. Act judiciously to protect privacy, confidentiality, and reputation. A&M System employees must recognize that content and messages posted on social media are public and are official communications. Employees may not use either institutional social media accounts or their own personal social media accounts to reveal confidential information obtained through their official responsibilities as an employee of the A&M System.

Individuals authorized by the agency to post official A&M System information on social media sites shall not

- post information directly related to ongoing investigations, negotiations and/or matters that are confidential or privileged by law;
- lobby or post politically partisan comments;
- imply or post information that would give an ordinary member of the public the impression that the communication represents the views or positions of the A&M System or its members and agencies unless expressly authorized to do so;
- impede the general performance and operation of the A&M System or its members and agencies or affects working relationships necessary to the proper functioning of the A&M System and/or its members and agencies;
- endorse any product, vendor or site unless given permission to do so

Note: Do not disclose student information. Abide by Family Educational Rights and Privacy Act (FERPA). This is especially important in dealing with students who post questions online about their educational circumstances (e.g. “Did my credits transfer?”). Ask the student for a private conversation.

V. Be transparent, and avoid inadvertent misrepresentation. Employees or contactors blogging on behalf of the A&M System or its entities must use real names, identify their affiliation, be clear about their role and relationship to the University and comply with all disclosure laws. When commenting on social media on behalf of any System entity, the Federal Trade Commission requires disclosure of an employee’s affiliation. When interacting with people online, an employee or contactor of the A&M System should clearly state his or her role in the account’s bio. Have clear responsibilities outlined for when employees are empowered to respond directly to users and when prior approval is necessary. This is the ethical thing to do, and there may be personal liability consequences under Federal Trade Commission regulations if the employee doesn’t comply.

Note to System employees using their own personal social media sites: Make it clear that the views expressed are yours. Recognize that effective social engagement depends upon transparency. Your honesty —or dishonesty — will be quickly noticed in the social media environment, and your credibility — and that of the A&M System and or University — will be at stake. If you have a vested interest in something you are discussing, be the first to point it out. Write in the first person, and if you maintain a personal blog or website and write opinion pieces about the A&M System or its entities, use a disclaimer, such as “The postings on this site are my own and don’t necessarily represent the positions, strategies or opinions of The Texas A&M University System or its entities.”

VI. Follow your institution’s editorial and brand style. All departments, programs and individuals using social media should abide by official University standards for branding, graphics and written communications. Use of your institution’s official logo is not permissible as a profile photo or on a blog unless express permission is granted by the Office of Marketing and Communications to which the unit or department reports.

VII. Respect copyright law. Obtain permission from the copyright owner before using copyrighted material such as original works of authorship including videos and images or literary, dramatic,

musical, and artistic works. Provide a link to the original material if possible.

VIII. Abide by all applicable System and institutional policies, and respect University time and property. A&M System employees must follow A&M System policies and the policies of their institution related to ethics, privacy and employee behavior when posting to the social media sites of the A&M System or its members or agencies. University computers and individual work time are to be used only for University-related business, which may include social media management as related to individual or unit work goals. Comply with all applicable institutional policies including Acceptable Computing Usage and Information Security, and stay abreast of emerging new policies governing faculty & staff profiles and personal websites.

IX. When in doubt, ask. If you have any questions about what is appropriate, check with a member of your institution's Marketing and Communications team or direct questions to [socialmedia@tamus.edu](mailto:socialmedia@tamus.edu) before posting.

## *Office Of Marketing And Communications*

### Communications

#### + Brand Guide

#### Video Guidelines

#### + Social Media

##### Public Notification

##### Employee Guidelines

#### Communication Offices

#### Publications

#### + Reports

#### Responsibilities

#### Templates

#### + Written Style Guidelines

#### A&M System News

# Exhibit L



Message

**From:** Alan Cannon [/O=ATHLETICSMAIL/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=ACANNON]  
**Sent:** 1/22/2014 3:54:11 PM  
**To:** Stephenson, Lane B [l-stephenson@tamu.edu]; Smith, Krista L [krista.smith@tamu.edu]  
**CC:** Jason Cook [/O=ATHLETICSMAIL/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=Jason Cook3f8]; Brad Marquardt [/O=ATHLETICSMAIL/OU=First Administrative Group/cn=Recipients/cn=bmarquardt]; Matt Simon [/O=ATHLETICSMAIL/OU=First Administrative Group/cn=Recipients/cn=matts]; Matthew Callaway [/O=ATHLETICSMAIL/OU=First Administrative Group/cn=Recipients/cn=mcallaway]  
**Subject:** RE: E. King Gill Story on TAMU Times

Believe the process of removal is ongoing.

Thanks  
AC

---

**From:** Stephenson, Lane B [mailto:l-stephenson@tamu.edu]  
**Sent:** Wednesday, January 22, 2014 9:52 AM  
**To:** Alan Cannon; Smith, Krista L  
**Subject:** FW: E. King Gill Story on TAMU Times

**FYI – Here's Bynum's irate follow-up email message – Lane**

**From:** Michael Bynum [mailto:mjbsports@hotmail.com]  
**Sent:** Wednesday, January 22, 2014 9:41 AM  
**To:** Stephenson, Lane B  
**Subject:** E. King Gill Story on TAMU Times

Lane,

I am forwarding to you my email to Alan Cannon.

As I explained in our just-completed telephone call, I want this E. King Gill story taken off the A&M website, and any other A&M websites, by 10:30 a.m. today. You did not have permission to use this story. I am the copyright holder of this story.

If this is not removed by 10:30 a.m. today, then legal action will be initiated. This is a breach of publishing ethics and copyright law.

Mike Bynum  
[mjbsports@hotmail.com](mailto:mjbsports@hotmail.com)

---

From: [mjbsports@hotmail.com](mailto:mjbsports@hotmail.com)  
To: [acannon@athletics.tamu.edu](mailto:acannon@athletics.tamu.edu)  
CC: [bmarquardt@athletics.tamu.edu](mailto:bmarquardt@athletics.tamu.edu)

Subject: E. King Gill Story on TAMU Times

Date: Wed, 22 Jan 2014 09:23:11 -0600

Hi A.C.,

We have a problem.

I was sent a web link yesterday to a story that the TAMU Times published recently on E. King Gill. See below:

[http://www.aggieathletics.com//ViewArticle.dbml?DB\\_OEM\\_ID=27300&ATCLID=209380492&utm\\_source=tamutimes&utm\\_medium=email&utm\\_campaign=2014-01-21](http://www.aggieathletics.com//ViewArticle.dbml?DB_OEM_ID=27300&ATCLID=209380492&utm_source=tamutimes&utm_medium=email&utm_campaign=2014-01-21)

This story was written by Whit Canning and it is the opening story to my new book on E. King Gill that will be published in September on honor of A&M's 75th anniversary of its 1939 national championship season. It was during A&M's glorious run in 1939 that the legend of King Gill's heroics came to life on radio shows that were discussing A&M's great season.

Whit Canning wrote this story for me in 1997. It has never been cleared for publication with anyone. And Whit did not write this story for TAMU or give them permission to publish this story.

A.C. -- you and Brad are friends of mine and I very much appreciate the assistance you and Brad have given me in the development of this book, but as you know this is a serious breach of ethics and copyright law.

I will send to you this week a PDF draft of the design of the opening pages for the 12th Man Book. It is not finished yet -- but it will be finished in February. This story appears in the book's early pages. The copyright notice for this book also appears in these early pages.

In an attempt to resolve this matter, I would like to request that this story be immediately removed from the A&M website and replaced with a bold apology for running it without permission.

Once this is done, we can discuss the next steps to move forward.

Thank you for your quick attention to this matter.

Best wishes!

Mike Bynum

[mjbsports@hotmail.com](mailto:mjbsports@hotmail.com)

# **Exhibit M**

**From:** Brad Marquardt  
**To:** Matthew Callaway; Alan Cannon; Jason Cook  
**Subject:** FW: TAMUtimes: Tuesday, Jan. 21, 2014  
**Date:** Tuesday, January 21, 2014 3:52:19 PM

---

Sweet. I'm sure a Mike Bynum phone call is forthcoming.

**From:** Jerry Cooper [mailto:cooper1@cullums.org]  
**Sent:** Tuesday, January 21, 2014 3:50 PM  
**To:** Brad Marquardt  
**Subject:** Fwd: TAMUtimes: Tuesday, Jan. 21, 2014

Brad,  
Here is the note I just sent to Mike Bynum and Whit Canning regarding the 12th Man story from Mike's copyrighted book, which has not yet been published. If you want to see the proof pages, let me know.  
Jerry Cooper

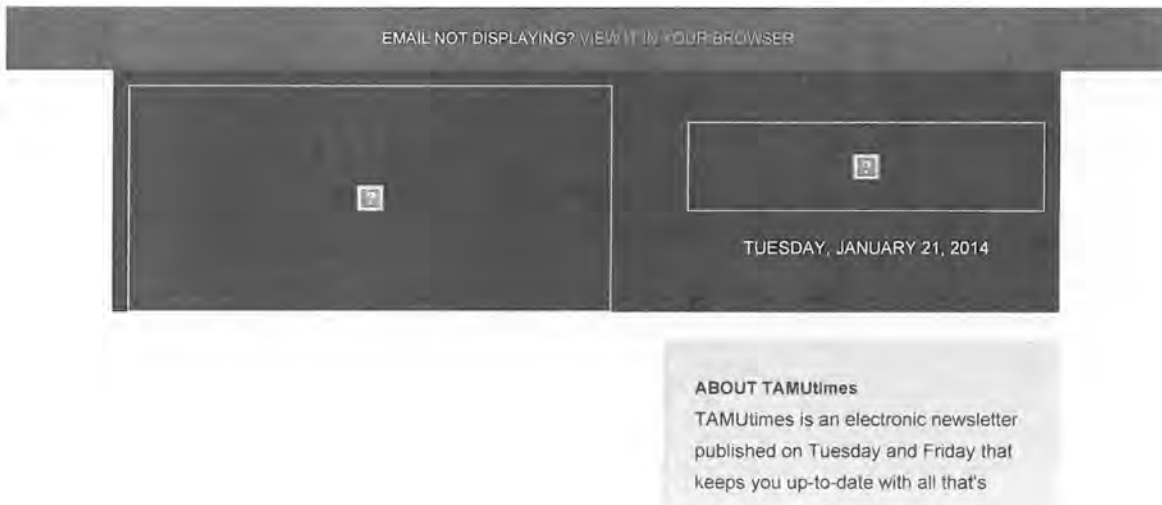
-----  
Mike and Whit,  
Today an item appeared in Texas A&M's e-mail newsletter "TAMU Times" about the original 12th Man, E. King Gill, and it had a link to the complete story on the Athletic Department webpage (click on "More" at the end of the blurb below).

[http://www.aggieathletics.com//ViewArticle.dbml?DB\\_OEM\\_ID=27300&ATCLID=209380492&utm\\_source=tamutimes&utm\\_medium=email&utm\\_campaign=2014-01-21](http://www.aggieathletics.com//ViewArticle.dbml?DB_OEM_ID=27300&ATCLID=209380492&utm_source=tamutimes&utm_medium=email&utm_campaign=2014-01-21)

The text is word-for-word (except for a brief omission) what Whit Canning wrote for your "12th Man" book. About 15 paragraphs from the end, several paragraphs of text appears to have been inadvertently omitted.

Although it is attributed as follows: "by Whit Canning - special to Texas A&M Athletics" there is no permission line or other credit on it. I believe that when I approached the 12th Man Foundation for you a number of years back to see if they would help you get the book published, they made a copy of the story and stuck it in a file. When the Athletic Department ran across it, it obviously was picked up and placed on the Athletics website.

I spoke to Whit Canning today and he said no one from the Athletic Department ever contacted him about using the text.  
Jerry Cooper





TAMUtimes spotlight image

## The Original 12th Man

E. King Gill never led Texas A&M to a national championship, but because of one simple act in Dallas in 1922, he became the most revered Aggie of them all: the 12th Man. [\(more...\)](#)

### 12 Impacts: Bright Idea Creates Business Venture

A professor at the Texas A&M Health Science Center School of Rural Public Health has developed workstations that allow for productivity while combating sedentary lifestyles. [\(more...\)](#)

### Why NSA Surveillance Is Legal

Ron Sievert, a professor at Texas A&M's Bush School of Government and Public Service, says the NSA surveillance program remains mostly intact and is still legal as of now. [\(more...\)](#)

### Asian Air Pollution Affecting World's Weather

Extreme air pollution in Asia is affecting the world's climate patterns, according to a study by Texas A&M and NASA researchers. [\(more...\)](#)

### Climate Change Is Real, Professor Testifies

The world is getting warmer and the consequences could be dire, Texas A&M atmospheric science professor Andrew Dessler testified before a U.S. Congressional committee. [\(more...\)](#)

happening at, around and by Texas A&M University.

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- [Anthropology Professor Researches The First Americans](#)
- [Diversity An Essential Ingredient Of Global Businesses, EY Executive Explains](#)

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- [In Skies Over Sarita, Unmanned Aircraft Put Through Tests](#)
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IG



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# **Exhibit N**

**From:** Brad Marquardt  
**To:** Jason Cook; Matthew Callaway  
**Subject:** Fwd: E. King Gill Story on TAMU Times  
**Date:** Wednesday, January 22, 2014 11:18:21 AM

---

Begin forwarded message:

**From:** Michael Bynum <mjbsports@hotmail.com>  
**Date:** January 22, 2014 11:15:32 AM CST  
**To:** Brad Marquardt <bmarquardt@athletics.tamu.edu>  
**Cc:** Alan Cannon <acannon@athletics.tamu.edu>  
**Subject:** E. King Gill Story on TAMU Times

Hi Brad,

TAMU Times has taken this off their website. Thanks!

I will be finished with the design of this book in February. It has taken a long time to get this overall story right — but I feel good about where we are now.

Once the book is finished I will come to College Station and we can make plans. I am willing to work with you on the use of this story on the A&M website, but we need to finalize some details. For example, the draft you have is not the final version to be published.

Mike

**From:** bmarquardt@athletics.tamu.edu  
**To:** mjbsports@hotmail.com  
**CC:** acannon@athletics.tamu.edu  
**Subject:** RE: E. King Gill Story on TAMU Times  
**Date:** Wed, 22 Jan 2014 16:41:03 +0000

Good morning Mike,

First of all, my sincere apology for this mix-up. The story is no longer linked on our website.

We remain very interested in utilizing Whit's story, however. With the Seattle Seahawks and their 12<sup>th</sup> Man getting a lot of attention in the NFL, the story was an important part of our strategic plan to show Texas A&M is the true owner of the "12<sup>th</sup> Man."

To that end, would it be possible to post the story as an "excerpt" to your book?

"This is an excerpt to an upcoming book titled *E. King Gill: The Life & Legend of Texas A&M's 12<sup>th</sup> Man*. It will be published in September of 2014 to honor the 75<sup>th</sup> anniversary of Texas A&M's 1939 national championship season by Epic Sports." (Or something similar...)

Again, my sincere apologies for this. It was an incredibly coincidental mix-up on my part. I was cleaning my office, which you may recall is generally a cluttered mess. While going through files, I found a story of the 12<sup>th</sup> Man on some slightly yellowed 8.5x11 paper. I had no recollection of its origin. But I'm always seeking background info on the 12<sup>th</sup> Man, especially since we joined the SEC and reporters aren't as familiar with the history of the 12<sup>th</sup> Man. I asked my secretary to key it in for me which she did. A few days after that, my co-worker asked if I had anything on the 12<sup>th</sup> Man. Coincidentally, I did and that's how a 16-year old story found its way on the Internet.

I look forward to hearing from you.

Brad

=====

BRAD MARQUARDT

Associate Director, Texas A&M Athletic Media Relations

[bmarquardt@athletics.tamu.edu](mailto:bmarquardt@athletics.tamu.edu)

Office: 979-845-5448 / Cell: 979-229-8851 / FAX: 979-845-6825

**From:** Michael Bynum [mailto:mjbsports@hotmail.com]  
**Sent:** Wednesday, January 22, 2014 9:23 AM  
**To:** Alan Cannon  
**Cc:** Brad Marquardt  
**Subject:** E. King Gill Story on TAMU Times

Hi A.C.,

We have a problem.

I was sent a web link yesterday to a story that the TAMU Times published recently on E. King Gill. See

BM 0025



below:

[http://www.aggieathletics.com/ViewArticle.dbml?  
DB\\_OEM\\_ID=27300&ATCLID=209380492&utm\\_source=tamutimes&utm\\_medium=email&utm\\_campaign=2014-  
01-21](http://www.aggieathletics.com/ViewArticle.dbml?DB_OEM_ID=27300&ATCLID=209380492&utm_source=tamutimes&utm_medium=email&utm_campaign=2014-01-21)

This story was written by Whit Canning and it is the opening story to my new book on E. King Gill that will be published in September on honor of A&M's 75th anniversary of its 1939 national championship season. It was during A&M's glorious run in 1939 that the legend of King Gill's heroics came to life on radio shows that were discussing A&M's great season.

Whit Canning wrote this story for me in 1997. It has never been cleared for publication with anyone. And Whit did not write this story for TAMU or give them permission to publish this story.

A.C. -- you and Brad are friends of mine and I very much appreciate the assistance you and Brad have given me in the development of this book, but as you know this is a serious breach of ethics and copyright law.

I will send to you this week a PDF draft of the design of the opening pages for the 12th Man Book. It is not finished yet -- but it will be finished in February. This story appears in the book's early pages. The copyright notice for this book also appears in these early pages.

In an attempt to resolve this matter, I would like to request that this story be immediately removed from the A&M website and replaced with a bold apology for running it without permission.

Once this is done, we can discuss the next steps to move forward.

Thank you for your quick attention to this matter.

Best wishes!

Mike Bynum

[mjbports@hotmail.com](mailto:mjbports@hotmail.com)

# Exhibit O



**User Name:** Scott Hastings

**Date and Time:** Monday, October 12, 2020 2:53:00 PM CDT

**Job Number:** 127454013

## Document (1)

1. [Texas: THE ORIGINAL 12TH MAN](#)

**Client/Matter:** 0502540.00073 10921

**Search Terms:** "Original 12th Man"

**Search Type:** Natural Language

**Narrowed by:**

**Content Type**  
News

**Narrowed by**  
-None-

## **Texas: THE ORIGINAL 12TH MAN**

US Official News

January 20, 2014 Monday

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**Length:** 4295 words

**Dateline:** Austin

### **Body**

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Texas A&M University, The State of Texas has issued the following news release:

In December 1986, as Earle Bruce's Ohio State team prepared for a New Year's Day battle with Texas A&M in the Cotton Bowl, visitors to the Buckeyes' practice sessions noticed something a bit odd.

It seemed to occur especially when there were members of the media present: every time the Buckeyes went through a contact drill, they lined up with 12 men on both sides of the ball.

"Well," Bruce deadpanned, when questioned by reporters, "We're playing Texas A&M aren't we? I've always heard that they play with 12 men and we ain't goin' out there shorthanded."

A publicity stunt, to be sure. But also, a tip of the hat to one of the most unique and enduring legends in the history of college football...and for 75 years the Aggies have believed that every time a ball is teed up on an autumn Saturday, they have an edge.

It is the legacy of Edward King Gill, a onetime A&M football player better suited to basketball – a sport in which he achieved All-Southwest Conference recognition. Since he was known throughout his life by his middle name, "Edward" was soon shortened to just the initial "E".

Hence the legend of E. King Gill, a youth blessed with marvelous energy of mind, body and spirit-who in one sense, at least, was destined to become a remarkable failure.

In his senior yearbook at Oak Cliff High School (now Adamson) in Dallas, Gill is described as "boy who avoids public praise as much as possible, preferring to have his success pass without display."

It is a view of Gill that endured through the 74 years of his life, which ended in December 1976. But given the fact that a statue of him now stands at the north end of Kyle Field and that no student has passed through A&M in three quarters of a century without learning his name, his determination to "avoid public praise" was singularly unsuccessful.

He never led A&M to a national championship, as did John Kimbrough, nor did he win a Heisman Trophy, as did John David Crow. He was never even named all-conference in football, toiling in the shadow of Aggie gridiron stars such as Puny Wilson, Bull Johnson, Sam Sanders and Cap Murrah.

Scott Hastings



## Texas: THE ORIGINAL 12TH MAN

But because of one inspirational act in Dallas on January 2, 1922, he eventually became the most revered Aggie of them all: The Twelfth Man.

On that day, Gill – a sophomore sub who had been released from the varsity team in November so he could concentrate on basketball – sat in the press box spotting for a Waco newspaper while the Aggies struggled against unbeaten Centre College in the Dixie Classic, which was a distant forerunner of the Cotton Bowl game.

As the A&M squad, which totaled 18 at the kickoff, began to dwindle with injuries a desperate call for help came from the bench. Moments later, dressed in a fallen teammate's uniform, Gill walked from beneath the stands and into the pages of history - taking his place on the sideline, ready to battle fate for the Aggies.

He stood there all day... never needed, taking no physical part in A&M's 22-14 upset victory.

Almost apologetically, Gill laughed about it years later, saying, "I really wish I could say I went in and scored the winning touchdown, because it would have made a much better story. But I didn't, I just stood there."

But as time passed, Gill's act that day grew to the status of legend, and eventually came to symbolize the spirit of the Aggies.

For another 40 years, A&M remained a relatively small, close-knit military school centered on its Corps of Cadets. It became, in time, a place famed for its myriad traditions. The legend of the 12th Man would soon become one of the greatest of all Aggie traditions.

"Probably, along with the annual Aggie Muster, it has become the greatest of all the traditions at A&M," says Harry Green, who graduated in 1952 and later spent 14 years as the director of the Twelfth Man Foundation. "I think it's basically the way all Aggies identify themselves."

By the time Green got to College Station, the Corps had developed the tradition of standing throughout each game, symbolizing each man's willingness to step down out of the stands – as Gill once had – and help the team.

"In those days, there were all sorts of things you had to go through when you came in as a freshman," Green says, "including being constantly quizzed on Aggie lore. The 12th Man story was the question you had to be prepared to answer each night if you wanted your dessert."

Although A&M began expanding tremendously in the sixties with the admission of women and non-corps students, the 12th Man legend was so firmly entrenched that it easily survived, and was enthusiastically adopted by all incoming students.

"It has outlived E. King Gill, and it will outlive us all" Green says. "The 12th Man tradition will never die."

It has survived because it also symbolizes the devotion – stated often throughout the years – of one Aggie to another. Arthur Dietrich, a member of the 1921 team, once said that "there was a closeness and a love on that team that is seldom seen, and we dedicated ourselves to that game."

The game (the 1922 Dixie Classic against Centre College) that launched the legend was remarkable in a number of ways, not least of which being the presence of two of the greatest football minds of the collegiate game's early years – both of whom served, at various times, as savior and foe of the Aggies.

Charley Moran arrived at A&M in 1909 stating, "I did not come here to lose," and proved immediately to be a man of his word. By the end of the season the University of Texas - which had lost only one of 17 previous meetings with the Aggies – had been whipped twice.

By 1912, Moran's Aggies had become so formidable that the great state university in Austin refused to schedule them.

Texas: THE ORIGINAL 12TH MAN

Soon thereafter, in gracious tribute to Moran's sportsmanlike qualities, the Longhorns came up with a catchy refrain honoring their esteemed adversary:

To hell, to hell with Charley Moran,

And all his dirty crew;

And if you don't like the words to this song,

Then to hell, to hell with you.

In 1914, when administrators of eight universities met to write a charter for the Southwest Conference, UT minions agreed to join on one condition: that Moran be fired and barred from the league. In the interests of progress and regional harmony, A&M reluctantly agreed.

But on the eve of the resumption of the A&M-UT series in 1915, the exiled Moran struck the Longhorns one final blow, in the form of a letter of exhortation to the A&M squad.

"If you still love me and think anything of me," it read, "THEN BEAT TEXAS."

A&M complied with a 13-0 upset of the favored Longhorns and inadvertently launched a Texas tradition in the process. When Aggies pranksters branded the score into the hide of UT's longhorn mascot the following year, the steer's mortified handlers were forced to alter the brand to read, "Bevo."

And so, Texas' mascot became permanently named after a popular brand of beer. After a two-year drift, the Aggies came up with another winner to coach the A&M football squad: Dana Xenophon Bible.

His first team, in 1917, was not only undefeated, but unscored- on. Then he departed for a year of service in France during World War I.

Bible returned to A&M in 1919, and his second team was both undefeated and unscored-on. In two seasons, his teams had played 18 games, won them all, and outscored their foes, 545-0.

In 1927, Bible had another undefeated team led by All-American Joel Hunt, and won six SWC titles in all before taking the prestigious head coaching job at Nebraska on the personal recommendation of Notre Dame coach Knute Rockne.

Describing his famous coach, Hunt once said, "Mr Bible did not have to demand respect. You could not keep from respecting him. He was a man who stood above all, and you had to look up to him."

He was also known as a master game day motivator and virtuoso of the Rocknestyle, "Win One for the Gipper" halftime performance in the locker room.

Once, at halftime in a climactic battle with the Longhorns, Bible emulated Col. William B. Travis at the Alamo - drawing a line on the locker room floor and inviting anyone who wished to beat Texas to step across.

All did, of course, and the Aggies won.

On another occasion, after a miserable first-half performance, Bible refused to talk to his team at halftime.

Finally, just before the team went out for the second half, he walked into the room, looked around, and said, "Well girls, shall we go?" Once again, the Aggies won.

But in 1940, when he was coaching and underdog Texas team against an Aggie squad that had not lost in two years, he read the Edgar Guest poem, It Can Be Done, to his team, and the Longhorns won, knocking A&M out of the Rose Bowl.

## Texas: THE ORIGINAL 12TH MAN

Just as Bible would do years later, Charley Moran came back to face the 1921 Aggies in the guise of a formidable adversary. The place where he had landed – exiled from the SWC – was Centre College, a small private school in Danville, Kentucky.

At a distance of 77 years, Centre seems scarcely changed today. Playing at the Division III level, the school carries an enrollment of 950, but there are still thrills.

“I love playing here,” says current squad member Todd Frakes. “There isn’t much media attention, but we play in eight different states. We just travel constantly, and it’s a lot of fun.”

The teams from the era of World War I and beyond also traveled constantly, but there was a slight difference: during the period of 1917-24, Moran’s “Prayin’ Colonels” – a moniker they picked up after a halftime prayer session during the 1919 West Virginia game – frequently got bigger headlines than Notre Dame.

In the span, Centre boasted three undefeated teams and posted a total record of 55-8-2. Listed among the victims were Indiana, Clemson, Mississippi, Kentucky, Auburn, Tulane, Tennessee, Alabama, and Georgia – often by margins of six or seven touchdowns.

“Uncle Charley” was at it again, and in 1921 he had perhaps his greatest team. Incredibly, the team boasted three Walter Camp All-Americans: quarterback Alvin (Bo) McMillin, end Red Roberts, and center Red Weaver. McMillin and Roberts were three-time picks. When the Colonels rolled into Dallas amid one of their storied barnstorming tours, they had just flattened Arizona, 38-0, on the West Coast. That brought the season ledger to 10-0, with collective foes having been outscored, 323-6.

But the centerpiece of the campaign had been midseason visit to Cambridge, Mass., where McMillin – later a famed coach in both college and pro ranks – led the Colonels on a date with destiny

Scoring the game’s only touchdown McMillin, formerly a star at Fort Worth’s North Side High School, engineered a stunning 6-0 victory over Harvard that snapped a 25-game winning streak for the hosts. For decades – on into the fifties – it was generally regarded as the greatest upset in college football history.

In Gill’s recollection, “in our game, Centre was definitely favored – by a whole lot.”

The 1921 A&M team opposing this juggernaut was not one of Bible’s strongest – having compiled 5-1-2 record with a loss to LSU and ties with Rice and Texas. But it was the SWC champion, and so earned itself a “bowl” trip.

Ominously, it was also a team already severely depleted by injuries – having lost two fullbacks – and only 18 players made the trip to Dallas.

The game received an extensive week-long buildup, beginning on Christmas Day, in the local paper. This was due largely to the fact that three Centre players were from Fort Worth and two from Dallas, among seven Texans on the squad.

Ending a storied career as a three-time All-American and already hired as head coach at Centenary College for the next season, McMillin came home to a hero’s welcome, capped by a unique twist: in a ceremony on the morning of the game, he married his high school sweetheart, Miss Maud Marie Miers.

Meanwhile, the Aggies dressed for the game at their downtown hotel and prepared to depart for Fair Park Stadium, a mostly wooded 10,000-seat edifice that predated the Cotton Bowl.

Gill was among them, although he was in street clothes – and, as he recalled it years later, was about the last person in Dallas figuring on taking an active role in the afternoon’s contest.

“Throughout high school and college, I always played three sports – football, basketball and baseball,” he said. “But my favorite of the three was always basketball, because that’s what I seemed best at.

Texas: THE ORIGINAL 12TH MAN

"Although I was on the football team in 1921, I was only a substitute. But I was in line for a regular spot on the basketball team, and the coaches figured I should give it my full attention. So they released me from the team at Thanksgiving, and I concentrated on basketball.

"When the team went up to play Centre, I just went up there like all the other students. I wanted to see the game, and since I lived in Dallas, it also gave me a chance to go home for a visit."

What brought Gill to the hotel on the day of the game was not the idea of playing in it, but simply the thought of being able to get inside the stadium to watch it.

"There were no dressing rooms at the stadium," Gill recalled, "so the team put on their uniforms at the hotel and gathered in the lobby to take cabs to the game. I wanted to go with them because it was a good way to get into the stadium, and I didn't have the \$3 admission price. So I rode in one of the cabs.

"I was standing down on the field talking to Coach Bible before the game, when Jinx Tucker came by. He was the sports editor at the Waco paper and I knew him casually, and he said, 'Hey King, why don't you come up to the press box and spot for me?'

"So I wished Coach Bible luck and told him I'd be up there if he needed me, and I went upstairs with Jinx."

At the time, it was an offhand remark, and Gill had no idea he would actually be needed. That situation changed rapidly, however.

"The trouble started right after the game got underway," Gill said, "We were already missing a kid named (F.K.) Buckner, who had been our fullback but had a bad leg. And pretty soon, we lost so many more players it began to look like we wouldn't be able to finish the game.

"Sammy Sanders was the first to go. They knocked him cold.

"Heine Weir, our team captain and other halfback, was next. He went out with a broken leg. Then we lost our fullback, Bull Johnson, and then our quarterback, Bugs Morris. A halfback named (T.L.) Miller was also injured, so within a short space of time, our whole offensive backfield plus one substitute had gone out of the game.

"I looked down at the field, and old D.X. was waving at the press box and motioning toward our empty bench. He knew I was up there, because he had seen me leave with Jinx. And I knew what he wanted,"

Just to make sure, Bible dispatched an A&M yell leader to the press box, and Gill was soon on his way down to the field.

"Since there were no dressing rooms, I changed clothes under the stands," Gill said, "They gave my clothes to Weir, and I put on his uniform.

"And D.X. was standing there, and he said, 'Boy, it doesn't look like I'm going to have enough players to finish the game. You may have to go in there and just stand around for awhile.'

"But as it turned out, I wasn't needed. All our boys managed to survive from that point forward."

In fact, the Aggies managed a bit more than mere survival. They took a quick 2-0 lead when one of the visitors was tackled in the end zone trying to return a punt, then blunted two Centre drives inside their five-yard line. On one of these, they stopped McMillin on fourth down – inches from the goal line.

The Prayin' Colonels finally launched a drive to take a 7-2 lead, but A&M turned three breaks into quick scores in the second half and held a commanding 22-7 advantage in the fourth quarter. Centre scored once more, but the day belonged to the Aggies.



## Texas: THE ORIGINAL 12TH MAN

Gill was certainly not the star of the game, but as the years rolled by, he became its most commanding presence. Ironically, it served to overshadow a distinguished career at A&M in which he won eight varsity letters in three sports.

In the final game of the 1922 season, Gill scored once and set up the other touchdown with along run to lead the Aggies past the hated Longhorns, 14-7.

The game became etched in the collective memory because it would be A&M's last victory in Austin for 34 years – until the unbeaten 1956 powerhouse whipped a 1-9 Texas team (after which the Longhorns, in despair, took a gamble on a young coach named Darrell Royal) – but Gill's heroics were forgotten.

It also went largely forgotten that Gill was a star guard on two conference championship basketball teams.

He graduated from A&M in 1924 with a degree in engineering, coached for a year at Greenville High, then entered the Baylor School of Medicine.

Graduating in 1929, he set up a practice as an eye, ear, nose and throat doctor in San Antonio. In 1935 he moved his practice to Corpus Christi.

For many years, he never gave much thought of the incident that would one day transform him into a legendary, almost mythic figure to thousands of Aggies.

"I think the Fort Worth paper mentioned it at the time," he said, "but I really never heard any more about it for about 15 years afterward.

"The story of the 12th Man really originated around 1939-40 when A&M had its national championship team and there was a lot of interest. I think it first resurfaced when a guy named E. E. McQuillen dramatized the incident on a radio broadcast."

In 1941, an Aggie supporter named Lillian Dean Hamilton Munnerlyn, known as "Nanny Munn," wrote a song entitled The Twelfth Man. The song created its own tradition: it was sung as post-game yell practices – but only when the Aggies had lost:

Texas Aggies down in Aggieland,

We've got Aggie spirit to a man.

Stand united! That's the Aggie theme,

We're the 12th an on the team.

When we're down, the goin's rough and tough,

We just grin and yell we've got the stuff

To fight together for the Aggie dream,

We're the 12th man on that fightin' Aggie team

But the tradition had surfaced as early at 1930, when A&M coach Matty Bell called on the student body to give him a "Twelfth Man" center. He was rewarded with Joe Love, a gritty 5-foot-9, 155-pound center who lettered for two years.

In 1943, when every veteran on the team had gone off to war, Aggie coach Homer Norton placed a notice in the student newspaper asking for volunteers. He held his first team meeting a few days later, surrounded by 135 warm bodies.

## Texas: THE ORIGINAL 12TH MAN

But it remained for Jackie Sherrill to elevate the 12th Man tradition to the status of national phenomenon ... an idea that became a publicity bonanza and gave its name to a rising dynasty.

When Sherrill announced that his home kickoff unit for 1983 would consist of a kicker and 10 student volunteers, he was greeted by a turnout that would have amazed Homer Norton – 250 men and two women.

When the unit was finally pared down, one of its member, Corps of Cadets member Les Asel, spoke eloquently for the group.

"I never wanted to play college ball, because I figured high school was enough," he said. "But when this happened, I got fired up about it.

"When we take the field in the opener against California (in 1983), they're in for a surprise. They've never faced a bunch of crazy, insane Aggies screaming down the field before. After all, a guy's got to be a little bit crazy to come here and wear this uniform and be an Aggie in the first place.

"We're just trying to help the football team. People say it's a publicity stunt, but so what? We're serious about this.

"What you have to understand is, I'm married to Texas A&M. This is part of the Aggie spirit, and I've always wanted to be an Aggie."

The original unit, in '83, held foes to an average of 13.1 yards per return, and successive towel-waving units vexed not only Bruce's Buckeyes but Heisman Trophy winners Bo Jackson of Auburn and Tim Brown of Notre Dame in the Cotton Bowl.

R.C. Slocum cut the unit down to one representative – wearing No. 12 – in 1991, saying, "What E. King Gill did in 1922, he did alone – he didn't have nine other guys with him."

The effectiveness of the unit had decreased by then, but football fans from New York to California had learned the significance of the 12th Man.

By the time Sherrill created his version, the man who inspired the legend was dead.

After a lifetime of community service, he passed his medical practice on to a friend and retired in 1972, at the age of 70. He had been slowed by a heart attack five years earlier, and a hunting accident in 1970 in which he lost part of a finger hampered his capacity to perform surgery.

Also in 1970, he and his wife, Myrtle, had moved to nearby Rockport after Hurricane Celia extensively damaged their Corpus Christi home. By then, they also owned a 300-acre ranch near San Antonio.

He died in December 1976, and was buried in San Antonio.

To the end of his days, the description in his high school yearbook held true. If any man ever believed himself a legend, it wasn't King Gill.

Olive DeLucia, who arranges travel excursions for former students out of her office on campus, recalls taking the Gills on an Aggie junket to Hawaii.

"We all had a grand time," she says, "but if you were just one of the people on that trip, you would never have imagined that he (Gill) was the famous 12th Man. He was such a nice man, quiet and unassuming, and a gentleman.

"His wife was the expressive one ... she could do that thing where you put two fingers to your mouth and whistle, and I remember thinking what a contrast it was between them."

But if there was ever a doubt that Gill was an Aggie legend, it was dispelled in 1980, when the statue was placed prominently in front of the 12th Man Foundation office near the stadium.

Texas: THE ORIGINAL 12TH MAN

For all the Joel Hunts, Dick Todds, and Joe Routts and John Kimbroughs and Martin Rubys and John David Crows and Jack Pardees that led the Aggies to glory, the only man they ever cast in bronze was E. King Gill.

"It's a tradition that every Aggie can identify with," says A&M historian Jerry Cooper. "Through the years, there have been many attempts to more or less copy it, including the thing with Army and Navy where they stand throughout a game. But in their case, it isn't based on anything.

"People are still making attempts to co-opt it in various ways: there was a recent article in the school paper about Baylor developing special 'tradition' rings.

"But you don't just invent a tradition. Ours is based on a real event that actually happened once. It's history, and it's real. And for every Aggie, it says, 'I'm somebody special.'"

Meanwhile, the beat goes on. What E King Gill started in 1922 has produced a massive fund-raising organization (The 12th Man Foundation), a campus statue that students born after his death stare at in admiration, and a tradition wherein thousands of Aggies stand at the ready throughout a game, although in the modern context the thought that any of them might actually be called down to the field is absurd.

Whereas Gill once stood, clutching his misshapen leather helmet and wondering if there would be enough Aggies left to develop a "12th Man atmosphere," and Troy Aikman envisioned towel-waving fans "blowing off the roof (what there is of it) a Texas Stadium."

The 12th Man has been compared to Biblical heroes and legends of the Old West, and provided the title for a 1974 book on the Aggies' football history.

But A&M is a place where traditions are like sunsets; you see one every day, from the story of the famous War Hymn being composed by a lonely soldier (Pinky Wilson) standing watch on the Rhine during World War I to the sacred turf of Kyle Field, dedicated to the Aggies who died during World War II.

But while many can equate the 12th Man tradition to the Muster (held annually on San Jacinto Day), in the opinion of the man responsible for one of them, there was never a comparison.

To Gill, the Muster was the most sacred of Aggie traditions. And having served as an officer in the Pacific in World War II, he was acutely aware of the most famous Muster of them all: held by Aggies on the doomed island fortress of Corregidor just before it fell to the Japanese in 1942.

He visited the site when the Philippines were retaken, and when he was asked to give an address at a Muster years later, he considered it a great honor.

He recalled being in an assault wave on a Pacific island and shortly discovering a notice on a bulletin board announcing "a meeting of A&M men in tent 402 at 7 p.m. tonight."

"As officer standing near me said, 'You Aggies beat anything I've ever seen. We can establish a beachhead on one of these islands, and in a short time there will be a sign stuck in the sand saying there will be an A&M meeting tonight.'

"I think this probably demonstrates what other people think of Aggies. They may not particularly like us, but they respect us."

And of all the written and spoken accounts of the events of January 2, 1922, probably the most eloquent description of his actions was delivered, on this occasion, by the 12th Man himself.

"For one things," he said, "it has made me feel humble and proud to think that I might represent the finest body of young men in the U.S.

## Texas: THE ORIGINAL 12TH MAN

"Any one of them could be the 12th Man, but he must be ready to stand and fight for the things that are right and the traditions of this country and this school.

"It has made me a better man and a better doctor, and last but not least, a more responsible citizen. It has, on the lighter side, made me the prime target for the many Aggie jokes that come along.

"It is my sincere hope that there will always be the Muster, and there will always be a Cadet Corps at A&M. Without it, there will be no A&M, for within it are found many of our most precious and hallowed tradition.

For further information please visit: <http://tamutimes.tamu.edu/>

**Load-Date:** January 21, 2014

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# Exhibit P

**FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**MICHAEL J. BYNUM AND CANADA  
HOCKEY LLC d/b/a EPIC SPORTS**  
*Plaintiff*

v.

**BRAD MARQUARDT,**  
**in his individual capacity**  
*Defendant*

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**CIVIL NO. 4:17-cv-00181**

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**DEFENDANT'S OBJECTIONS AND RESPONSES TO PLAINTIFFS' FIRST  
INTERROGATORIES**

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TO: Plaintiff Michael J. Bynum and Canada Hockey LLC d/b/a Epic Sports, by and through their attorneys R. Dale Wallace, Jr., Ben B. Robinson, and Jonathan A. Griffith, Wallace, Jordan, Ratliff & Brandt, LLC, 800 Shades Creek Parkway, Suite 400, Birmingham, Alabama 35209 and Joe W. Redden, Jr. and Owen J. McGovern, Beck Redden LLP, 1221 McKinney St., Suite 4500, Houston, Texas 77010-2010

Pursuant to Federal Rules of Civil Procedure 26 and 33, Defendant Brad

Marquardt serves these Objections and Responses to Plaintiffs Michael J. Bynum and

Canada Hockey, LLC d/b/a Epic Sports' First Interrogatories.

Respectfully submitted,

/s/ Julie A. Ford

Julie A. Ford

SBN: 07240500

Jford@gbkh.com

GEORGE BROTHERS KINCAID & HORTON

114 W. 7<sup>th</sup> Street, Suite 1100

Austin, Texas 78701

Tel: 512-495-1448

Fax: 512-499-0094

*Attorneys for Defendant Brad Marquardt*

**CERTIFICATE OF SERVICE**

I certify that on August 23, 2021, a true and correct copy of the foregoing was served via electronic mail as follows:

R. Dale Wallace, Jr.  
dwallace@wallacejordan.com  
Ben B. Robinson  
brobinson@wallacejordan.com  
Jonathan A. Griffith  
jgriffith@wallacejordan.com  
Wallace, Jordan, Ratliff & Brandt, LLC  
800 Shades Creek Parkway, Suite 400  
Birmingham, Alabama 35209

BECK REDDEN LLP  
Joe W. Redden, Jr.  
jredden@beckredden.com  
Owen J. McGovern  
omcgovern@beckredden.com  
1221 McKinney St., Suite 4500  
Houston, Texas 77010-2010

*Attorneys for Plaintiffs Michael J. Bynum and Canada Hockey, LLC d/b/a Epic Sports*

/s/ Julie A. Ford  
Julie A. Ford

**DEFENDANT BRAD MARQUARDT'S OBJECTIONS AND RESPONSES TO  
PLAINTIFFS' FIRST INTERROGATORIES**

**RESPONSES AND OBJECTIONS:**

Defendant Marquardt makes the following responses and objections to Plaintiffs' First Set of Interrogatories, which apply to each interrogatory and request regardless of whether the general objections are specifically incorporated into the specific objections below.

1. Defendant's investigation and development of all facts and circumstances relating to this action is ongoing. These responses and objections are made without prejudice to, and are not a waiver of, Defendant's right to rely on other facts or documents at trial.
2. Defendant objects to each instruction, definition, document request, and interrogatory to the extent that it purports to impose any requirement of discovery obligation greater than or different from those under the Federal Rules of Civil Procedure and the applicable Rules and Orders of the Court.
3. Defendant objects to each interrogatory and instructions to the extent they call for information that is protected from discovery by the attorney-client privilege, work product doctrine, and/or joint defense/common interest privilege, or that is otherwise protected by the Federal Rules of Civil Procedure or Federal Rules of Evidence.
4. Defendant objects to each interrogatory, definition, and instruction to the extent it seeks information, documents and/or things that are outside the possession, custody



or control of Defendant and that are not kept in the ordinary course of Defendant's personal business.

**ANSWERS:**

1. Identify any and all policies of insurance that may cover you or any party to this action (including any policies that have denied such coverage), detailing as to such policies the name of the insurer, the number of the policy, the effective dates of the policy, the available limits of liability, the persons covered by the policies, the name and address of the custodian of the policy, what claims, if any, you have made against such policies as a result of this litigation and whether those claims were accepted or rejected.

**ANSWER:**

Marquardt is unaware of any insurance policy covering the claims against him personally other than a Texas A&M policy that covers him as an employee of Texas A&M, and he has no personal knowledge of whether a claim has been made as a result of this litigation. Marquardt understands that Texas A&M has provided its insurance information to Plaintiff's counsel.

2. Identify in detail all expert witnesses that you expect to call in this case or otherwise offer testimony. For each expert, please identify the subject matter on which they are expected to testify; their qualifications; the facts upon which they base their opinions, including a summary of the grounds for each opinion; and any documents they relied on in forming their opinions.

**ANSWER:**

This information will be provided in accordance with the scheduling order in this case.

3. Identify any witness[es] you intend to call on your behalf at trial, and with regard to each witness, please state with particularity the subject matter on which each witness is expected to testify.

**ANSWER:**

This information will be provided in accordance with the scheduling order in this case.

4. Identify each and every item, including all documents, you intend to introduce as evidence, use as exhibits, or otherwise rely upon at the trial of this matter.

**ANSWER:**

This information will be provided in accordance with the scheduling order in this case.

5. Identify every individual and entity to whom you provided a copy or any version of the Gill Biography, including, but not limited to, your secretary whom you asked to “key in” the article for your file in late December 2013 or early January 2014 and anyone to whom you emailed or otherwise shared the article (both in your individual/personal capacity and as an employee of the Texas A&M Athletic Department), and include the date, location, and purpose for each instance of such distribution. (*See* (ECF No. 166-1 (Marquardt Decl.) at ¶¶3, 5)).

**ANSWER:**

Marquardt objects to the defined term “Gill Biography” because it is confusing in the context of this case, where there are different versions, uses and origins of information that are encompassed in the Plaintiff’s use of that term. In answering these interrogatories Marquardt will refer to the article by Whit Canning, which he found in paper form in his files, as the “Canning Article.” Marquardt gave the Canning Article to his secretary Jackie Thornton in early January 2014. He did so in his capacity as an employee of Texas A&M. His purpose was to have the information contained in the Canning Article preserved as part of his ongoing collection and preservation of information of interest about A&M and the 12<sup>th</sup> Man.

Marquardt’s email file shows that Ms. Thornton emailed him a Word document containing information about E. King Gill that she had typed from the Canning Article. (hereinafter referred to as the Word Document) on January 14, 2014.

According to an email in Marquardt’s file, on January 17, 2014, Marquardt forwarded Ms. Thornton’s email with the Word Document attachment to Matt Callaway (a colleague in the media relations office) and Benjamin Dierker (a student assistant). The purpose of forwarding Ms. Thornton’s email and attachment was to respond a request from Matt Callaway for information relating to the 12<sup>th</sup> Man.

6. Identify every individual who participated in and oversaw the decision to post and to remove the Gill Biography on the Texas A&M Athletic Department’s website, and identify their role(s) in that decision-making process, and include in your answer the identity of the department and individuals exerting control over, or the ability to make decisions regarding, that media in December 2013 and January 2014.

**ANSWER:**

Regarding the posting of the Canning Article on Texas A&M Athletic Department website:

Marquardt did not make the decision to post the Canning Article on the Athletic Department website. Marquardt was aware that Matt Callaway, a colleague in the media relations department, was interested in using the Canning Article as part of an effort to highlight and celebrate A&M’s 12<sup>th</sup> man tradition. Marquardt believes he discussed matters involving how the posting should look, but the decision to actually post the Canning Article was not his to make.

Marquardt believes that Jason Cook oversaw the decision to post the Canning Article on the website. Jason Cook was at the time Senior Associate Athletic Director External Affairs.

Regarding the decision to remove the Canning Article from the Texas A&M Athletic Department website:

Marquardt's immediate supervisor, Alan Cannon, instructed Marquardt to have the Canning Article removed from the website on January 22, 2014. Marquardt called Matt Simon, the webmaster, and asked that Simon take down the post. Additionally, Marquardt on that same day requested guidance from Jason Cook on how to proceed.

7. State with particularity the process, and identify every individual and their respective roles in the process, by which decisions were made regarding what content to post on the Texas A&M Athletic Department's website and Twitter account, and what to publish in the TAMU Times, during the time period of December 2013 and January 2014.

**ANSWER:**

For special content, such as the Canning Article, the final decision to post on the Athletic Department website would have been made by Jason Cook. For day-to-day postings of information, the individuals within the media relations department make their own judgments as to posting material on the website and sending out tweets regarding their respective sports. Marquardt has no knowledge of the process used by the TAMU Times.

8. State with particularity and identify all policies and procedures that were in place during December 2013 and January 2014 regarding the collection and approval of content to be disseminated via the Texas A&M Athletic Department's website, Twitter account(s), email, and the TAMU Times.

**ANSWER:**

Marquardt is not aware of a formal policy or procedures governing the collection and dissemination of content on the department website, twitter or email. As indicated above, each person whose job is to serve as a liaison between a particular sport and the media is encouraged to disseminate content about their respective sport. TAMU Times is a separate operation and Marquardt does not have personal knowledge about the policies or procedures in place at that publication.



9. Identify all copyrighted and trademarked materials over which you have or claim personal ownership (including, but not limited to, any articles, books, or pamphlets published in electronic or tangible form), and list the dates of inception and/or publication of those works, along with any revenue or artistic awards you received related to those works.

**ANSWER:** None.

10. Identify any copyrighted or trademarked materials (whether belonging to you or any other entity) that you have helped create, protect, or preserve, and explain the steps you took to do so.

**ANSWER:**

Marquardt is aware that Texas A&M University owns copyrights in materials that he has worked on, but he has not assisted in protecting or preserving those copyrighted works.

11. After Michael Bynum's email to you dated January 22, 2014, identify anyone in the Texas A&M Athletic Department or Texas A&M University that interviewed or questioned you or anyone else regarding the dissemination of the Gill Biography, and include the date, location, substance of each such interview or questioning, and identify all documents related to such interview or questioning. This request does not request the content that is protected by the attorney-client privilege.

**ANSWER:**

Marquardt communicated with Jason Cook and he assumes he also communicated with his immediate supervisor Alan Cannon, although he has no specific recollection of those communications. Cook requested that Marquardt ask Plaintiff to agree to allow

A&M to publish the Canning Article. The substance of that communication is in Marquardt's email to Bynum attached to Marquardt's affidavit.

12. Identify every individual within the Texas A&M Athletic Department of whom you are aware that has personal knowledge of the decision to post the Gill Biography on the Texas A&M Athletic Department's web page and to subsequently remove it from the web page.

**ANSWER:** See response to interrogatory number 6.

13. Identify any software, program, database, process, individuals, third party consultants, or documents that captured, contained, reflected, calculated, or otherwise depicted the number of visitors to the Texas A&M Athletic Department's website, the number of subscribers to the TAMU Times, the number of followers of the Twitter accounts "@AggieAthletics," "@AggieFootball," "@TAMU," and "@12thManFndtn" during December 2013 and January 2014.

**ANSWER:** Marquardt has no personal knowledge of the information requested.

14. Identify the individual or individuals of whom you testified in your declaration that asked you "whether [you] had any information about the 12<sup>th</sup> Man," and state with particularity their purpose for requesting that information, and identify to whom you "produced" the article, along with the date, location, and means of production. (See (ECF No. 166-1 (Marquardt Decl.) at ¶5)).

**ANSWER:**

Matt Callaway was seeking information about the 12<sup>th</sup> Man. According to email records, the Word Document typed by Jackie Thornton was forwarded to Callaway on January 17, 2014. See also the response to interrogatory number 5.

15. State with particularity the supervisory chain of authority over you while you were employed as Associate Director of Media Relations, meaning, identify your immediate supervisor, and every individual to whom you answered or reported in your employment, and the individuals to whom those individuals answered or reported. Include in your answer their identities and official positions and titles, as well as their employer.

**ANSWER:**

Marquardt reported to Alan Cannon, Director of Media Relations in the Athletic Department. Alan Cannon reported to Jason Cook, Senior Associate Athletic Director for external affairs. Jason Cook reported to Eric Hyman, Athletic Director.

16. List and identify the individuals on the Texas A&M Athletic Department Media Relations staff in January 2014, and include their titles and job descriptions.

**ANSWER:**

The Media Relations staff was comprised of six individuals with the title of Information Representatives II. Their jobs were to act as a liaison between coaches, players and the media.

Those individuals were:

Brad Marquardt,

James "Matt" Callaway

Adam Quisenberry

Debbie Darrah\*

Meredith Collier \*

Thomas Dick

Jackie Thornton\* was an administrative assistant

\* These individuals are no longer employed at Texas A&M.

17. State with particularity any education, training, guidelines, or policies you have received, through your employer or otherwise, regarding copyright law, protection, and/or infringement, including but not limited to the protection of any works owned or created by Texas A&M University or its Athletic Department.

**ANSWER:**

The only formal instruction would have been while Marquardt was attending Texas A&M University as a student of journalism. In later employee training sessions at A&M, copyright may have been addressed, but Marquardt does not recall the specifics.

18. Identify the individual(s) who authorized and decided to release the January 20, 2014 “news release” (attached hereto as “Exhibit A”) entitled “Texas: The Original 12<sup>th</sup> Man,” and identify and state with particularity how, when, where, and to whom the news release was published, posted, or distributed—both within the Texas A&M Athletic Department and without.

**ANSWER:** Marquardt has no knowledge of, or information about Exhibit A.

19. Identify each and every distribution of the Gill Biography of which you are aware, including any edited version of the Gill Biography reproduced, published, emailed, mailed, shared, posted, sold, or otherwise disseminated by any individual, the Texas A&M Athletic Department, Texas A&M University, and the 12<sup>th</sup> Man Foundation. Include in your answer when such distributed copy was created, who created it, and the dates and manner of each distribution.

**ANSWER:**

Marquardt objects to the term “distribution” insofar as it relates to his own actions, which are explained above. Other than forwarding the information typed from the Canning Article to Matt Callaway (and apparently to Benjamin Dierker), Marquardt had no involvement in the posting of the Canning Article on the website, and has no knowledge of other publications.



20. Identify the individual who removed the words “Copyright © Epic Sports All rights reserved” from the Gill Biography before posting the biography on the Texas A&M Athletic Department’s website and identify who, if anyone, instructed them to remove those words.

**ANSWER:**

Those words appeared on cover sheet of the paper copy of the Canning Article and were not removed from that paper document. None of the information on the cover sheet was included in the Word Document created by Jackie Thornton. Marquardt has no recollection of anyone, including himself, instructing Ms Thornton not to include that information when she keyed in the content of the Article. Other information on the cover sheet – the author and date – were obviously communicated to the individuals involved in posting of the Canning Article on the website (including Matt Callaway and webmaster Matt Simon) but Marquardt does not recall the specifics of those communications.

21. Do you understand that your answers to these interrogatories are given under oath and that you are required to supplement these answers?

**ANSWER: Yes.**



# Exhibit Q

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University

TUESDAY,  
JANUARY 21,  
2014

#### ABOUT TAMUtimes

TAMUtimes is an electronic newsletter published on Tuesday and Friday that keeps you up-to-date with all that's happening at, around and by Texas A&M University.

TAMUtimes | Tuesday, January 21, 2014 | The voice of Texas A&M University, College Station, TX

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spotlight image

## The Original 12th Man

E. King Gill never led Texas A&M to a national championship, but because of one simple act in Dallas in 1922, he became the most revered Aggie of them all: the 12th Man. [\(more...\)](#)

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#### 12 Impacts: Bright Idea Creates Business Venture

A professor at the Texas A&M Health Science Center School of Rural Public Health has developed workstations that allow for productivity while combating sedentary lifestyles. [\(more...\)](#)

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#### Why NSA Surveillance Is Legal

Ron Sievert, a professor at Texas A&M's Bush School of Government and Public Service, says the NSA surveillance program remains mostly intact and is still legal as of now. [\(more...\)](#)

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#### Asian Air Pollution Affecting World's Weather

Extreme air pollution in Asia is affecting the world's climate patterns, according to a study by Texas A&M and NASA researchers. [\(more...\)](#)

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#### Climate Change Is Real, Professor Testifies

The world is getting warmer and the consequences could be dire, Texas A&M atmospheric science professor Andrew Dessler testified before a U.S. Congressional committee. [\(more...\)](#)

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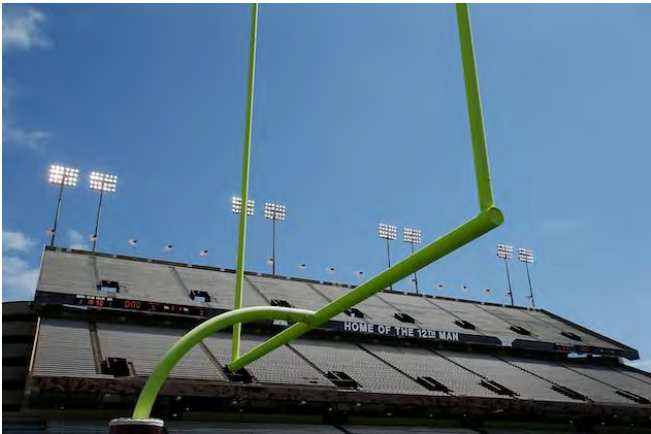
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# Texas A&M trolls the Seattle Seahawks and its '12th Man' on Twitter

By Graham Watson  
19 January, 2014 7:42 PM  
Dr. Saturday



(Getty Images)

The Seattle Seahawks have been boasting their "12th Man" slogan in the week leading up to NFC Championship game against the San Francisco 49ers, and Texas A&M has taken exception.









The Aggies have used their Twitter feed to set the record straight and make sure the world knows that they were the first ones to come up with the term "12th Man"

Since 1922 the #12thMan has made Aggieland his home  
<http://t.co/bMWZVSiaJE> [pic.twitter.com/E2vdbwXig7](http://pic.twitter.com/E2vdbwXig7)  
— Texas A&M Football (@AggieFootball) January 19, 2014

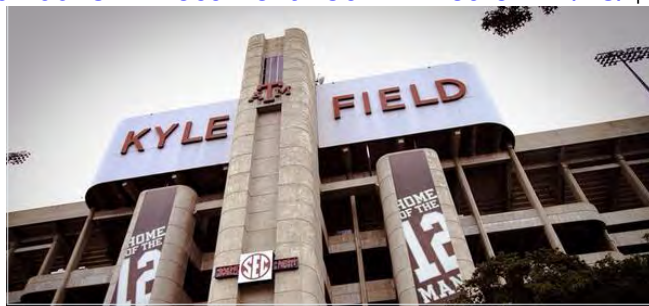
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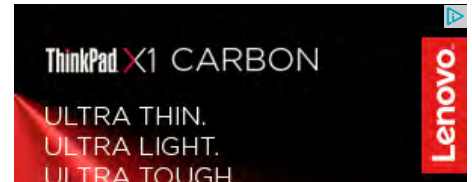
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E. King Gill: Texas A&M's original #12thMan  
[pic.twitter.com/uFlBgrwkif](https://pic.twitter.com/uFlBgrwkif)

— Texas A&M Football (@AggieFootball) January 19, 2014

While Texas A&M's "12th Man" is modeled after a real player, it's also what the school has dubbed its crowd because of how loud the stadium gets during games.

Seattle has adopted a similar meaning with its "12th man" as it's stadium is considered the toughest in the NFL in which to play simply because of the noise level.

A&M has a point. It did have the nickname first. Even though Seattle does pay Texas A&M \$5,000 for the use of the slogan, it seems like the Aggies are looking for a little more recognition as the originator of the "12th Man."

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Graham Watson is the editor of [Dr. Saturday](#) on Yahoo Sports. Have a tip? Email her at [dr.saturday@ymail.com](mailto:dr.saturday@ymail.com) or follow her on Twitter!

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Every stadium claims their fans are the "12th man." It's getting obnoxious.

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By Steve Keating OMAHA, Nebraska (Reuters) - Michael Phelps had no appetite for a rematch with Ryan Lochte in the 400 metres medley so left it to the swimmer he calls his little brother

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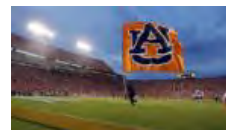


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